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## CHAPTER I.

1791 to 1820.

Autobiographical Sketch—Family, Birth and Education—Dickinson College—Removes to Lancaster—Study of the Law—Fourth of July Oration, 1814—Capture of Washington—Election to the Legislature—State of Public Affairs and Legislative Measures—Public Defence—Washington Association of 1815—The Banking System—Impeachment of the Lancaster Judges—Judge Franklin's Diary—Mr. Buchanan Defends Judge Franklin—His Acquittal—Death of Miss Coleman—Letters of Mr. Buchanan and Mr. Ellmaker.

I cannot better begin this memorial volume than by giving Mr. Buchanan's Autobiographical Sketch of his early life and education. It is a manuscript without date, but is supposed to have been written many years ago. It tells the personal story, down to a certain point, simply and with precision.

“My father, James Buchanan, was a native of the county Donegal, in the kingdom of Ireland. His family was respectable; but their pecuniary circumstances limited. He emigrated to the United States before the date of the Definitive Treaty of Peace with Great Britain; having sailed from ———, in the brig Providence, bound for Philadelphia, on the 4th ———, 1783. He was then in the twenty-second year of his age. Immediately after his arrival in Philadelphia, he proceeded to the house of his maternal uncle, Mr. Joshua Russel, in York county. After spending a short time there, he became an assistant in the store of Mr. John Tom, at Stony Batter, a country place at the foot of the North Mountain, then in Cumberland (now in Franklin) county.

He commenced business for himself, at the same place, about the beginning of the year 1788; and on the 16th of April, in the same year, was married to Elizabeth Speer. My father was a man of practical judgment and of great industry and perseverance. He had received a good English education, and had that kind of knowledge of mankind which prevented him from being ever deceived in his business. With these qualifications,

with the facility of obtaining goods on credit at Baltimore, at that early period, and with the advantages of his position, it being one of a very few spots where the people of the western counties came with pack horses loaded with wheat to purchase and carry home salt and other necessities, his circumstances soon improved. He bought the Dunwoodie farm for £1,500, in 1794, and had previously purchased the property on which he resided at the Cove Gap.

I was born at this place, on the 23d of April, 1791, being my father's second child. My father moved from the Cove Gap to Mercersburg, a distance of between three and four miles, in the autumn of 1796 and began business in Mercersburg in the autumn of 1798. For some years before his death, which occurred on the 11th of June, 1821, he had quite a large mercantile business, and devoted much of his time and attention to superintending his farm, of which he was very fond. He was a man of great native force of character. He was not only respected but beloved by every body who approached him. In his youth, he held the commission of a justice of the peace: but finding himself so overrun with the business of this office as to interfere with his private affairs, he resigned his commission. A short time before his death, he again received a commission of the peace from Governor Hiester. He was a kind father, a sincere friend, and an honest and religious man.

My mother, considering her limited opportunities in early life, was a remarkable woman. The daughter of a country farmer, engaged in household employment from early life until after my father's death, she yet found time to read much and to reflect deeply on what she read. She had a great fondness for poetry, and could repeat with ease all the passages in her favourite authors which struck her fancy. These were Milton, Pope, Young, Cowper and Thompson. I do not think, at least until a late period of her life, she had ever read a criticism on any one of these authors: and yet, such was the correctness of her natural taste, that she had selected for herself, and could repeat every passage in them which has been admired.

She was a sincere and devoted Christian, from the time of my earliest recollection, and had read much on the subject of

theology; and what she read once, she remembered for ever. For her sons, as they successively grew up, she was a delightful and instructive companion. She would argue with them, and often gain the victory: ridicule them in any folly or eccentricity: excite their ambition, by presenting to them in glowing colors men who had been useful to their country or their kind, as objects of imitation, and enter into all their joys and sorrows. Her early habits of laborious industry, she could not be induced to forego—whilst she had anything to do. My father did every thing he could to prevent her from laboring in her domestic concerns, but it was all in vain. I have often, during the vacations at school or college, sat in the room with her, and whilst she was (entirely from her own choice) busily engaged in homely domestic employments, have spent hours pleasantly and instructively in conversing with her. She was a woman of great firmness of character and bore the afflictions of her later life with Christian philosophy. After my father's death, she lost her two sons, William and George Washington, two young men of great promise, and a favourite daughter. These afflictions withdrew her affections gradually more and more from the things of this world—and she died on the 14th of May, 1833, at Greensburg, in the house of her son-in-law, the Rev. Mr. Henry, in the calm but firm assurance that she was going home to her father and her God. It was chiefly to her influence that her sons were indebted for a liberal education. Under Providence, I attribute any little distinction which I may have acquired in the world, to the blessing which He conferred upon me in granting me such a mother.

After having received a tolerably good English education, I studied the Latin and Greek languages at a school in Mercersburg. It was first kept by the Rev. James R. Sharon then a student of Divinity with Dr. John King, and afterwards by a Mr. McConnell and Dr. Jesse Magaw, then a student of medicine, and subsequently my brother-in-law. I was sent to Dickinson College, in the fall of 1807, where I entered the Junior class.

The college was in a wretched condition: and I have often regretted that I had not been sent to some other institution.

There was no efficient discipline : and the young men did pretty much as they pleased. To be a sober, plodding, industrious youth was to incur the ridicule of the mass of the students. Without much natural tendency to become dissipated, and chiefly from the example of others and in order to be considered a clever and a spoiled youth, I engaged in every sort of extravagance and mischief in which the greatest proficients of the college indulged. Unlike the rest of this class, however, I was always a tolerably hard student and never was deficient in my college exercises.

A circumstance occurred, after I had been a year at college, which made a strong and lasting impression upon me. During the September vacation, in the year 1808, on a Sabbath morning, whilst I was sitting in the room with my father, a letter was brought to him. He opened it, and read it, and I observed that his countenance fell. He then handed it to me and left the room : and I do not recollect that he ever afterwards spoke to me on the subject of it. It was from Dr. Davidson, the Principal of Dickinson College. He stated that, but for the respect which the faculty entertained for my father, I would have been expelled from college on account of disorderly conduct. That they had borne with me, as best they could, until that period : but that they would not receive me again, and that the letter was written to save him the mortification of sending me back and having me rejected.

Mortified to the soul, I at once determined upon my course. Dr. John King was at the time pastor of the congregation to which my parents belonged. He came to that congregation shortly after the Revolution and continued to be its pastor until his death. He had either married or baptised all its members. He participated in their joys as well as their sorrows : and had none of the gloomy bigotry which too often passes, in these days, for superior sanctity. He was, I believe, a trustee of the college, and enjoyed great and extensive influence wherever he was known. To him I applied, with the greatest confidence, in my extremity. He gave me a gentle lecture—the more efficient on that account. He then proposed to me, that if I would pledge my honour to him to behave better at college than I had

done, he felt such confidence in me, that he would pledge himself to Dr. Davidson on my behalf, and he did not doubt that I would be permitted to return. I cheerfully complied with this condition; Dr. King arranged the matter, and I returned to college, without any questions being asked; and afterwards conducted myself in such a manner as at least to prevent any formal complaint.

At the public examination, previous to the commencement, I answered, without difficulty, every question which was propounded to me. At that time, there were two honours conferred by the college. It was the custom for each of the two Societies to present a candidate, and the faculty decided which of them should have the first honour, and the second was conferred upon the other candidate as a matter of course. I had set my heart upon obtaining the highest; and the Society to which I belonged unanimously presented me as their candidate. As I believed that this Society, from the superior scholarship of its members, was entitled to both, on my motion, we presented two candidates to the Faculty. The consequence was, that they rejected me altogether, gave the first honour to the candidate of the opposite Society, and the second to Mr. Robert Laverty, now of Chester county; assigning as a reason for rejecting my claims, that it would have a bad tendency to confer an honour of the college upon a student who had shown so little respect as I had done for the rules of the college and for the professors.

I have scarcely ever been so much mortified at any occurrence of my life as at this disappointment, nor has friendship ever been manifested towards me in a more striking manner, than by all the members of the Society to which I belonged. Mr. Laverty, at once, in the most kind manner, offered to yield me the second honour; which, however, I declined to accept. The other members of the Society belonging to the senior class would have united with me in refusing to speak at the approaching commencement, but I was unwilling to place them in this situation on my account, and more especially as several of them were designed for the ministry. I held out myself for some time, but at last yielded on receiving a kind communication

from the professors. I left college, however, feeling but little attachment towards the *Alma Mater*.

I came to Lancaster, to study law with the late Mr. Hopkins, in the month of December, 1809, and was admitted to practice in November, 1812. I determined that if severe application would make me a good lawyer, I should not fail in this particular: and I can say with truth, that I have never known a harder student than I was at that period of my life. I studied law, and *nothing but law*, or what was essentially connected with it. I took pains to understand thoroughly, as far as I was capable, everything which I read; and in order to fix it upon my memory and give myself the habit of extempore speaking, I almost every evening took a lonely walk, and embodied the ideas which I had acquired during the day in my own language. This gave me a habit of extempore speaking, and that not merely words, but things. I derived great improvement from this practice.

The first public address I ever made before the people, was in 1814, a short time after the capture of Washington by the British. In common with the Federalists, generally, of the Middle and Southern States, whilst I disapproved of the declaration of war under the circumstances in which it was made, yet I thought it was the duty of every patriot to defend the country, whilst the war was raging, against a foreign country. The capture of Washington lighted up a flame of patriotism which pervaded the whole of Pennsylvania. A public meeting was called in Lancaster for the purpose of adopting measures to obtain volunteers to march for the defence of Baltimore. On that occasion I addressed the people, and was among the first to register my name as a volunteer. We immediately formed a company of dragoons, and elected the late Judge Henry Shippen our captain. We marched to Baltimore, and served under the command of Major Charles Sterret Ridgely, until we were honourably discharged. This company of dragoons was the *avant courier* of the large force which rushed from Pennsylvania to the defence of Baltimore.

In October, 1814, I was elected a member of the House of Representatives, in the Legislature of Pennsylvania, from the county of Lancaster. The same principles which guided my conduct in sustaining the war, notwithstanding my opposition

to its declaration, governed my course after I became a member of the Legislature. An attack was threatened against the city of Philadelphia. The General Government was nearly reduced to a state of bankruptcy and could scarcely raise sufficient money to maintain the regular troops on the remote frontiers of the country. Pennsylvania was obliged to rely upon her own energies for her defence, and the people generally, of all parties, were ready to do their utmost in the cause.

Two plans were proposed: The one was what was called the Conscription Bill, and similar to that which had been rejected by Congress, reported in the Senate by Mr. Nicholas Biddle, by which it was proposed to divide the white male inhabitants of the State above the age of eighteen, into classes of twenty-two men each, and to designate one man by lot from the numbers between the ages of eighteen and forty-five of each class, who should serve one year, each class being compelled to raise a sum not exceeding two hundred dollars, as a bounty to the conscript. This army was to be paid and maintained at the expense of the State, and its estimated cost would have been between three and three and one-half millions of dollars per annum. The officers were to be appointed by the Governor, by and with the advice and consent of the Senate.

The other was to raise six regiments under the authority of the State, to serve for three years, or during the war, and to pass efficient volunteer and militia laws."

[Here the narrative changes to the third person.]

" On the 1st of February, 1815, Mr. Buchanan delivered his sentiments in regard to the proper mode of defending the Commonwealth, on the bill entitled 'An act for the encouragement of volunteers for the defence of this Commonwealth.' He said: 'Since, then, the Congress have deserted us in our time of need, there is no alternative but either to protect ourselves by some efficient measures, or surrender up that independence which has been purchased by the blood of our forefathers. No American can hesitate which of these alternatives ought to be

adopted. The invading enemy must be expelled from our shores : he must be taught to respect the rights of freemen.'

"Again, speaking of the Conscription Bill, he said: 'This law is calculated to be very unjust and very unequal in its effects. Whilst it will operate as a conscription law upon the poor man, in the western parts of the State, where property is not in danger, it will be but a militia law with the rich man, in the eastern part of the State, whose property it contemplates defending. The individuals in each class are, to be sure, to pay the two hundred dollars, in proportion to their comparative wealth, as a bounty to the substitute or conscript. It will, therefore, be just in its operation among the individuals composing each class, but how will it be with respect to entire classes? Twenty-two men in the city of Philadelphia, whose united fortunes would be worth two million dollars, would be compelled to pay no more than twenty-two men in the western country, who may not be worth the one-thousandth part of that sum.'

"After Mr. Buchanan had stated that he would have voted for the Enlistment Bill, had he not been necessarily absent when it passed the House, he said: 'After all, I must confess, that in my opinion, an efficient volunteer and militia bill, together with the troops which can be raised under the Voluntary Enlistment Bill, will be amply sufficient for the defence of the city of Philadelphia. We need not be afraid to trust to the patriotism or courage of the people of this country when they are invaded. Let them have good militia officers, and they will soon be equal to any troops of the world. Have not the volunteers and militia under General Jackson covered themselves with glory? Have not our volunteers and militia on the Niagara frontier fought in such a manner as to merit the gratitude of the nation? Is it to be supposed that the same spirit of patriotism would animate the man who is dragged out by a conscription law to defend his country, that the volunteer or militiaman would feel? Let us, then, pass an efficient militia law, and the Volunteer Bill which is now before us. Let us hold out sufficient inducement to our citizens to turn out as volunteers. Let their patriotism be stimulated by self interest, and I have no doubt that in the day of trial there will be armies of freemen in the



field sufficiently large for our protection. Your State will then be defended, at a trifling comparative expense, the liberties of the people will be preserved, and their willingness to bear new burdens be continued.'

"The bill, having passed the Senate, was negatived in the House, on the 3d of February, 1815, by the decisive vote of 51 to 36. It was entitled 'An act to raise a military force for the defence of this Commonwealth.' The Senate and the House thus differed in regard to the best mode of defending the Commonwealth; the one being friendly to the Conscription Bill, and the other to the Voluntary Enlistment and Volunteer Bill. All agreed upon the necessity of adopting efficient means for this purpose. Before any final action was had upon the subject, the news of peace arrived, and was officially communicated by Governor Snyder to the Legislature on the 17th February, 1815."

So open and decided was I in my course in favour of defending the country, notwithstanding my disapproval of the declaration of war, that I distinctly recollect, that the late William Beale, the shrewd, strong-minded, and influential Democratic Senator, from Mifflin county, called upon me, and urged me strongly, during this session to change my name and be called a Democrat, stating that I would have no occasion to change my principles. In that event, he said he would venture to predict that, should I live, I would become President of the United States. He was mistaken, for although I was friendly to a vigorous prosecution of the war, I was far from being a Democrat in principle.

On the 4th of July, 1815, I delivered the oration before the Washington Association, of Lancaster, which has been the subject of much criticism. There are many sentiments in this oration which I regret; at the same time, it cannot be denied that the country was wholly unprepared for war at the period of its declaration and the attempt to carry it on by means of loans, without any resort to taxation, had well nigh made the Government bankrupt. There is, however, a vein of feeling running throughout the whole oration—of which, as I look back to it, I may be excused from being proud—which always distin-

guishes between the conduct of the administration and the necessity for defending the country. Besides, it will be recollected that this oration was not delivered until after the close of the war. Among other passages to prove this assertion, the following may be cited. In speaking of the war, I said: "Glorious it has been, in the highest degree, to the American character but disgraceful in the extreme to the Administration. When the individual States discovered that they were abandoned by the General Government whose duty it was to protect them, the fortitude of their citizens arose with their misfortunes. The moment we were invaded, the genius of freedom inspired their souls. They rushed upon their enemies with a hallowed fury which the hireling soldiers of Britain could never feel. They taught our foe that the soil of freedom would always be the grave of its invaders."

I spoke, with pride and exultation of the exploits of the navy, and also of the regular army, during the last year of the war. The former "has risen triumphant above its enemies at home, and has made the proud mistress of the ocean tremble. The people are now convinced that a navy is their best defence."\*

In the conclusion there is a passage concerning foreign influence which must be approved by all. "Foreign influence, has been, in every age, the curse of Republics. Her jaundiced eye sees all things in false colors. The thick atmosphere of prejudice, by which she is forever surrounded, excludes from her sight the light of reason. Whilst she worships the nation which she favours for their very crimes, she curses the enemies of that nation even for their virtues. In every age she has marched before the enemies of her country, 'proclaiming peace, when there was

\* There is extant, according to the best of my recollection, in the *National Intelligencer*, though not in Everett's edition of his works, a speech of Mr. Webster in 1814, in the House of Representatives, on the "Conduct of the War." It is very severe on the military operations, especially in Canada (which, no doubt, as a general thing, deserved all that was said of them), but he dwells with pride on our naval exploits. "However," says he, "we may differ as to what has been done or attempted on land, our differences cease at the water's edge."

no peace,' and lulling its defenders into fatal security, whilst the iron hand of despotism has been aiming a death blow at their liberties." And again: "We are separated from the nations of Europe by an immense ocean. We are still more disconnected from them by a different form of government, and by the enjoyment of true liberty. Why, then, should we injure ourselves by taking part in the ambitious contests of foreign despots and Kings?"

I was again elected a member of the House of Representatives in the State Legislature in October, 1815. The currency at that period was in great disorder throughout the Middle Western and Southern States, in consequence of the suspension of specie payments occasioned by the war. On the 20th of December, 1815, a resolution was adopted by the House of Representatives instructing the Committee on Banks "to inquire into the causes of the suspension of specie payments by the banks within this Commonwealth; and also, whether any or what measures ought to be adopted by the Legislature on this subject." This committee was composed of Mr. McEuen, of the city; Milliken, of Mifflin; Stewart, of Fayette; and Dysart, of Crawford. On the 12th of January, 1816, Mr. McEuen made a report which concluded with a recommendation, that a law should be passed, obliging the banks to pay interest on balances to each other monthly, at the rate of 6 per cent. per annum, after the 1st of March; also, obliging the banks refusing to pay specie for their notes after the 1st of January, 1817, to pay interest at the rate of eighteen per cent. per annum from the time of demand; and forfeiting the charters of such banks as should refuse to redeem their notes in specie after the 1st of January, 1818. A bare majority of this committee had concurred in the report. The minority had requested me to prepare a substitute for it, and offer it as soon as the report was read. This substitute concluded with a resolution, "that it is inexpedient at this time for the Legislature to adopt any compulsory measures relative to the banks." The original report and the substitute were postponed, and no action was ever had afterwards upon either.

The substitute states the following to have been the causes of the suspension of specie payments in Pennsylvania :

1. The blockade by the enemy of the Middle and Southern seaports, the impossibility of getting their productions to market : and the consequent necessity imposed upon them to pay in specie to New England the price of the foreign merchandise imported into that portion of the Union.

2. The large loans made by banks and individuals of this and the adjacent States to the Government to sustain the war, and the small comparative loans made in New England, which were paid by an extravagant issue of bank notes. These latter bore but a small proportion to the money expended there. To make up this deficiency, the specie of the Middle and Southern States was drawn from the vaults of these banks, and was used by the New England people in commerce, or smuggled to the enemy.

3. The great demand for specie in England.

4. The recent establishment of a number of new banks throughout the interior of Pennsylvania, which drew their capital chiefly from the banks in Philadelphia, and thereby weakened them and compelled them first to suspend specie payments. These new banks, in self defence, were therefore, obliged to suspend.

5. The immense importation of foreign goods at the close of the war, and the necessity of paying for them in specie, have continued the suspension.

During this session, and whilst the debates on the subject were proceeding in Congress, I changed my impression on the subject of a Bank of the United States, and became decidedly hostile to such an institution. In this opinion I have never since wavered and although I have invested much of the profits of my profession in stocks, and my broker, Mr. Pue, of Philadelphia and others often advised me to buy stock in this Bank, I always declined becoming a stockholder. Whilst the bill was pending in Congress, I urged Mr. Holgate and other influential Democrats in the House to offer instructions against the measure, but could not prevail with them. I recollect Mr. H. told me that it was unnecessary, as our Democratic Senators in Con-

gress would certainly vote against the measure, without any instructions.

After my second session in the Legislature, I applied myself with unremitting application to the practice of the law. My practice in Lancaster and some of the adjoining counties was extensive, laborious and lucrative. It increased rapidly in value from the time I ceased to be a member of the Legislature. During the year ending on the 1st April, 1819, I received in cash for professional services \$7915.92; which was the best, down to that time, year I ever experienced.\*

During the session of the Legislature of 1816-17, I alone defended the Hon. Walter Franklin and his associates on articles of impeachment against them, before the Senate; and during the session of 1817-18 I defended the same judges on other articles, and had for associates Mr. Condy and Mr. Hopkins. I never felt the responsibility of my position more sensibly, than, when a young man between 25 and 26 years of age, I undertook alone to defend Judge Franklin; and although he was anxious I should, again the next year, undertake his cause without assistance, yet I insisted upon the employment of older and more experienced counsel.<sup>19</sup>

Here ends the auto-biographical sketch.

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This impeachment of the Lancaster Judges in 1819 deserves especial notice, not only for the share Mr. Buchanan had in the conduct of it but as an interesting incident (now almost faded out of memory) in the history of Pennsylvania. I have been favoured with a series of private diaries of Judge Franklin, which

\* I find a memorandum in Mr. Buchanan's writing of his professional emoluments during his years of active practice.

|                  |                     |
|------------------|---------------------|
| 1813.....\$ 938. | 1820 .....\$ 5,665  |
| 1814..... 1,096. | 1821-2..... 11,297. |
| 1815..... 2,246. | 1823 ..... 7,243.   |
| 1816..... 3,174. | 1825 ..... 4,521.   |
| 1817..... 5,379. | 1826 ..... 2,419.   |
| 1818..... 7,915. | 1827 ..... 2,570.   |
| 1819..... 7,092. | 1828 ..... 2,008.   |
| .....            | 1829 ..... 3,362.   |

not only enable me to tell the tale with accuracy, but which elevate him very much as an able, conscientious and patriotic man. He was the President Judge, by Executive appointment and with a tenure for good behaviour, of the Common Pleas Judicial District, composed of the counties of Lancaster, Lebanon and York. His associates were men 'not learned in the law.' It was a period of great political excitement, when the ashes of the war with Great Britain had not cooled and it was out of this excitement a very absurd and ineffectual impeachment grew. The actual accusations were mere pretexts. It originated in litigation of a different character, connected with the war, and which was pending when the impeachment began.

Every student of Pennsylvania history and law is familiar with the leading case, now obsolete, of *Houston v. Moore*. It was this: On the 4th of July, 1814 the President made a requisition on the Governor of Pennsylvania for militia reinforcements. On the 26th of August (for there seems to have been no speed), the Governor issued the necessary orders. The troops were mustered into the Federal service. Houston, a citizen of Lancaster, having refused to serve, was tried by a court martial held under State authority and convicted and sentenced to pay a fine. For this conviction and the enforcement of the fine, he sued the members of the Court and the Marshal in the Common Pleas of Lancaster. The great question, as described by the revisory Court afterwards, was, "whether the Legislature of Pennsylvania had a right to make a law for trial by court martial of persons who had disobeyed the orders of the President of the United States for calling out the militia, issued through the medium of the Governor." On the trial, Judge Franklin, one of his associates assenting and the other being absent, ruled the law in favour of the plaintiff who recovered a verdict. In other words, they decided that the troops once mustered into the service of the United States—the control of the States and their punitive power were at an end. Reading calmly the series of reported decisions which grew out of this matter, for it was carried to the Supreme Court of the United States, and seeing that although the Lancaster

decision was ultimately overruled, two of the Judges of the Court of last resort dissented, one sees that it was at least a doubtful question, admitting of an honest difference of opinion, and wonders it could have produced so much and so intense excitement as it appears to have done. No sooner was the Lancaster verdict rendered, than an Act of Assembly passed, authorizing a special Court of Error, and the Supreme Court, then composed of Judges Tilghman and Gibson (Yeates being ill, and indeed dying while the case was pending), met at Lancaster for the special purpose, in May, 1817. The case was fully and ably argued on the part of Houston by ~~William~~ Hopkins—Mr. Buchanan's professional preceptor, the acknowledged leader of the local bar—and on the part of defendant by the combined forces of the Federal and State Governments, they being represented by the Judge Advocate of the Court Martial, Mr. Rogers; the District Attorney of the United States, Mr. Ingersoll, and the Attorney General of the State, Mr. Ellmaker. The result was a reversal of the decision of the Court below, but no word or hint in the elaborate opinion of the Judges of any imputation on the integrity of the inferior tribunal. Yet this subjected them, such were the absurdities of the time, to a double impeachment. Before referring to it in detail, I may mention that after many interlocutory difficulties this case was finally decided at Washington—Judges Story and Johnson dissenting—in conformity with the decision of the highest Pennsylvania Court. So that the impeachments were tried and disposed of before the controversy in which they originated were disposed of.

The history of the impeachment will be best told in Judge Franklin's simple words as I find them recorded in his diary.

—March 3, 1817. I am now about to mention a very important event in my life. A petition had been presented some months previous to this period to the Court of Lancaster county, by two persons of the name of John Wilson and John Martin, claiming a balance of moneys which had been recovered of one Wolf and complaining of the detention of the money by the Attorneys, Mr. Patton Ross and Mr. Frazer. On hearing the parties, the Court were of opinion that there was not sufficient

cause shown for enforcing the payment of it in the summary mode of an attachment. At the commencement of the session of the Legislature, a complaint was made against the Judges for their decision. A Committee of Inquiry was appointed, to whom the Judges transmitted the reasons of their decision. It was universally understood at Harrisburg that the Committee were perfectly satisfied with the explanation sent to them and that they were about to make a report, not only favourable to the Judges, but containing a censure on the petitioners. In the meantime the trial of the case of Houston against Moore took place, in which the Court decided against the validity of the proceedings of courts martial summoned under State authority.

The rumour of this decision no sooner reached Harrisburg than it created a general uproar. The executive officers, members of the Assembly, with all their dependents, seemed to be at a loss how to express themselves with sufficient acrimony. All were for punishing the Judges for their presumption, and a variety of plans were suggested and considered by which this object could be accomplished. At last they determined to avail themselves of the complaint respecting the lawyers. The Committee reported against the Court, and after a tumultuous and wild debate, a majority were found weak and angry enough to vote in favor of a resolution for impeachment. It was strongly suspected by many that one great purpose of all this violence was to alarm and influence the Judges of the Supreme Court, who were ordered by an act passed 27th February, 1817, to hold a special session at Lancaster, on the sixth day of March, 1817, for the purpose of reviewing the opinion of the Court of Common Pleas.

It was evident to all who had an opportunity of knowing the state of things at Harrisburg, that these proceedings were the effect of passion and resentment instilled into the minds of weak and prejudiced men, by those who felt themselves disgraced by the event of the trial of the court martial causes.

March 3. I received a letter from Charles Smith, Esq., a member of the State Senate, from Lancaster District, dated March 1, stating that the House of Representatives had that day voted the impeachment—the vote was 56 to 32. He advised



me 'to come up to Harrisburg, that arrangements may be made for a speedy trial and decision,' and mentioned that the impeachment would be presented to the Senate on Monday next.

"March 4. I set off for Harrisburg with Mr. Buchanan who very readily and kindly consented to accompany me and to act as my counsel. On my arrival in the afternoon, I met a committee of the Senate, to whom I communicated my wish to have an early day fixed for the commencement of the trial. They agreed to report in favour of next Tuesday, and that was the day appointed by the Senate.

"March 7. I received a letter from my wife, dated the day before, in which she mentioned that Judges Tilghman and Gibson had arrived at Lancaster on the Wednesday preceding, and were then (when she wrote) holding the Special Court directed by the law of this session—Judge Yeates was too ill to attend.

"At 3 o'clock on Tuesday afternoon of March 11th, the Judges appeared before the Senate. The article of Impeachment was read by the Clerk of the Senate. I read the answer, which was presented to the Chair. The Managers requested time till 3 o'clock P. M. of the next day to prepare the replication.

"On Wednesday afternoon the replication of the House of Representatives was presented and read, and on the President of the Court inquiring if the parties were ready, we answered in the affirmative. The Managers desired that the names of the witnesses on the part of the Commonwealth should be called over, which was done. They then requested time until to-morrow to make further preparation, which was granted, and the Court adjourned till 10 o'clock the next morning.

"On Thursday morning, the 13th, Mr. Douglas opened the cause by an explanation of the nature of it, and John Wilson was examined.

"I should have mentioned before, that the Managers were Messrs. Davidson, Powel, Coulter, Stewart, and Douglas. In the afternoon John Martin was examined for the prosecution, and Mr. Patton Ross on the part of the Judges.

"Friday, March 14th, A. M. The examination of Mr. Ross

was finished, and William A. Rigg, a witness for the Judges, was examined.

"Saturday P. M., Messrs. Jacob Slough, Isaac Fisher, and Jasper Slaymaker, witnesses on behalf of the Judges, were examined and the deposition of Jeremiah Mosher was read. Daniel Wolf, a witness on behalf of the prosecution, was examined, and Messrs. Ross and Wilson were re-examined.

"Saturday, March 15th. Mr. Powel, on the part of the House of Representatives, commenced and concluded his speech.\* On the same morning Mr. Buchanan commenced his argument, and in the afternoon concluded it.

"This argument was conducted with great ingenuity, eloquence and address. It made a deep impression. It will tend very much to raise and extend the reputation of Mr. Buchanan, and will have, I hope, a favourable effect upon his future prospects as a lawyer and a politician.

"When Mr. Buchanan sat down, the Managers declared that they were not prepared to reply, and requested the Court to adjourn till the next Monday. We made no opposition, and their request was complied with.

"On Monday morning, the 17th, Mr. Stewart commenced his argument in reply to Mr. Buchanan, and concluded it in the afternoon. The Court then adjourned until 3 o'clock on Tuesday afternoon, when, on taking the votes respecting the charge, it appeared that there were nine for conviction and twenty-one for acquittal."

Among the Senators who voted for acquittal were Charles A. Barnitz, Marks J. Biddle, Nicholas Biddle, James McSherry, Benjamin R. Morgan, John Read, and Thomas Weaver.

But the matter did not end thus. It will be observed that the 'court martial decision' made no part of the original accusation, which was limited to another matter of no general interest. In

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\* Full notes of Mr. Buchanan's argument have been preserved. The detail of fact would have no interest. He contended earnestly for the doctrine that "Impeachment" could only apply—and who can doubt it—to crimes and misdemeanours, technically.

January, 1818, a new Impeachment was introduced, and on this occasion in addition to what had once been adjudicated, the 'court martial' matter was dragged in. It was met at once, by Judge Franklin and his associates, his counsel being, as before, Mr. Buchanan, with Mr. Condy, an eminent member of the Philadelphia bar, and Mr. Hopkins. It is not necessary to dwell on the painful details of the new charge. The whole thing was a lamentable exhibition of party asperity. On the 16th of March, 1818, the trial closed and the Judges were again acquitted on the first charge, by a vote of 16 to 14, and on the second, or 'court martial charge,' only seven answered guilty on this final vote, the constitution of the Senate being changed within the year. Among those who voted to acquit were Samuel Breck and Charles Smith, venerable names within the memory of all of us. In these proceedings, from first to last, Mr. Buchanan, a young man of twenty-six, gained great distinction—Judge Franklin's diary informing us that his services were rendered gratuitously.

I now approach, and with great hesitation, an incident which cast a dark shadow on Mr. Buchanan's whole life. The reasons for hesitation and reserve are obvious. In the life of any of the parties, such a reserve would be necessary. Now that they are all, without exception, in the grave, one hesitates for other reasons. And yet, is there not a duty to truth and history which forbids absolute silence on incidents such as I have alluded to, which influenced the career and character which as a biographer I am trying to illustrate? My judgment is, that such a duty is clear, and I accordingly tell the meagre truth as it has come to me, asking for it an indulgent judgment.

Ann Coleman was the daughter of Mr. Robert Coleman, an opulent if not distinguished citizen of Lancaster. She was in the twenty-third year of her age, of great beauty, singularly fascinating manners and gentle temper. To this young lady, Mr. Buchanan—then in his twenty-seventh year—became attached and engaged, whether with the consent of her family or not, at this distance of time I am unable to say. He was deeply and fervently attached to her. They corresponded, and a package of letters from her were found on Mr. Buchanan's death, by

his executors with the endorsement that they were to be destroyed unopened.\* He cherished them to the end of life. Some trifling misunderstanding, increased and stimulated no doubt by the village gossip of such a place as Lancaster then was, occurred between them, and Miss Coleman went to Philadelphia. In less than a week she died. But two memorials of this sad event have survived. One is a letter from Mr. Buchanan to the father of the dead girl, asking the sad privilege of seeing her dead body, which was refused: the other a letter of attempted consolation from a dear friend—a man of high social eminence in Pennsylvania. They tell their own tale and need no comment. The wound which in early life was inflicted on Mr. Buchanan never healed.

JAMES BUCHANAN TO ROBERT COLEMAN.

LANCASTER, 10th Dec., 1819.

MY DEAR SIR:

You have lost a child, a dear, dear child. I have lost the only earthly object of my affections, without whom life now presents to me a dreary blank. My prospects are all cut off and I feel that my happiness will be buried with her in the grave. It is now no time for explanation, but the time will come when you will discover that she, as well as I, have been much abused. God forgive the authors of it. My feelings of resentment against them, whoever they may be, are buried in the dust.

I have now one request to make, and for the love of God and of your dear, departed daughter whom I loved infinitely more than any human being could love, deny me not. Afford me the melancholy pleasure of seeing her body before its interment. I would not for the world be denied this request.

I might make another, but from the misrepresentations which must have been made to you, I am almost afraid. I would like to follow her remains to the grave as a mourner. I would like to convince the world, and I hope yet to convince you, that she was infinitely dearer to me than life. I may sustain the shock of her death, but I feel that happiness has fled from me forever.

\* It is hardly necessary to say the direction was literally obeyed.

The prayer which I make to God without ceasing is, that I yet may be able to show my veneration for the memory of my dear, departed saint, by my respect and attachment for her surviving friends.

May Heaven bless you and enable you to bear the shock with the fortitude of a Christian.

I am, forever, your sincere and grateful friend,

JAMES BUCHANAN.

AMOS ELLMAKER TO MR. BUCHANAN.

DEC. 20th, 1819.

DEAR SIR :

I hear you have left Lancaster, and have not heard where you have gone to, but I take it for granted the absence will be short. I am writing, I know not why and perhaps had better not. I write only to speak of the awful visitation of Providence that has fallen upon you, and how deeply I feel it. The thought of your situation has scarcely been absent from my mind these ten days. I trust your restoration to your philosophy and courage, and to the elasticity of spirits natural to most young men. Yet *time*, the sovereign cure of all these, must intervene before much good can be done. The sun *will* shine again—though a man enveloped in gloom always thinks the darkness is to be eternal. Do you remember the Spanish anecdote? A lady, who had lost a favourite child, remained for months sunk in sullen sorrow and despair. Her confessor, one morning, visited her and found her, as usual, immersed in gloom and grief. “What!” says he, “have you not yet forgiven God Almighty?” She rose, exerted herself, joined the world again, and became useful to herself and friends.

Might I venture to hint advice? It would be to give *full scope* (contrary to common advice on similar occasions) I say to give full vent and unrestrained license to the feelings and thoughts natural in the case for a time—which time may be a week, two weeks, three weeks, as nature dictates—without scarcely a small effort during that time to rise above the misfortune; then, when this time is past, to rouse, to banish depressing thoughts, as far as possible, and engage most industriously in business. My opinion is that too early an effort to

shake off a very heavy affliction is always futile and often dangerous. An early effort is futile and worse—an unavailing struggle renders the mind cowardly, and sinks the spirits deeper in gloom. The true way to conquer is to run away at first. The storm which uproots the firmest oak, passes harmlessly over the willow.

Forgive all this talk: it opens in my own bosom a wound which a dozen years have not cicatrized, and brings to my recollection a dark period of my own days, the remembrance of which yet chills me with horror.

Two of your cases here may be tried. If they are, I will endeavour to assist your colleague, Mr. Elder, for you, and for your benefit.

This is our court week for the civil list. I will send you the record—I mean your copy in *Leman vs. Hake*—by somebody going to Lancaster.

Mrs. E. talks much of you, and if she knew I was writing, would have me add her kindest message—indicative of the interest she feels.

Farewell,

AMOS ELLMAKER.

## CHAPTER II.

1820 to 1823.

Elected to Congress—State of Politics at the end of Mr. Monroe's Administration—The Era of Good Feeling—Parties in Congress—The Senate—Rufus King and Nathaniel Mason—William Lowndes, of South Carolina, John Sergeant, of Pennsylvania, and John Randolph—Mr. Buchanan's Sketch of their Characters—Style of Debating—Mr. Buchanan's First Speech on the Military Appropriation Bill—Debate on the Bankrupt Act—Speeches of Mr. Sergeant and Mr. Buchanan—Defeat of the Measure—Internal Improvements and the Cumberland Road—President Monroe's Veto—Mr. Buchanan's Change of Opinion—His Speeches on the Subject in 1829 and 1836—The 17th Congress—The Tariff of 1823—4—Opposition of New England—Mr. Gorham—Disunion Threatened.

In the autumn of 1820, Mr. Buchanan having accepted the nomination of what—though near its end—may be described as the Federal party, was elected to Congress, his District consisting of the counties of Lancaster, York and Dauphin. It was, as he has more than once told me, with reluctance that he consented to be a candidate, his professional practice and prospects being very good, the chances of success in the state of parties doubtful, and certainly, he having no prescience that he was about to enter on a continuous career in the Federal Councils, which was not to end till, after thirty-six years, he became President of the United States. He took his seat in the House of Representatives on the 3d of December, 1821.

Here, on the threshold of his career in the Councils of what, for want of a better word, may be called the Nation, let me for a moment pause and notice the political condition of the country. Looking back at it, not only through the dark war clouds which have recently overshadowed us, but over the acrimonious party conflicts which, in one form or another, from 1824 to 1860 agitated the country, it is very difficult to measure the actual state of repose which then existed. There were, literally, no sharply defined party organizations and no party conflict. It was the era not only of good feeling but of gentle, tolerant,

generous feeling. The asperities which during Mr. Madison's administration had been actively cultivated, especially in New England, were allayed. There was a faint echo of discontent from Virginia, in the querulous tones of John Randolph, but it did not amount to much. The war was over, and being a war with a foreign enemy, left few traces of animosity behind it. Mr. Monroe's first Inaugural, in which he seemed to court the favour of what was left of the Federal party, at once conciliated the North and East, without apparently weakening his hold on the South. The Democracy of the Middle States, as will be manifest when we come to trace the development of opinion, had not yet any fixed doctrines, though there was a strong tendency to the Virginia State Right principles. In fact, in Pennsylvania, what was once styled the "Republican" party, had been for years in a condition of chronic intestine warfare—and the now forgotten names of Leib, and Binns, and the elder Duane figured largely in the strife which continued without intermission from 1808 to 1820, from Governor McKean's administration to the end of Mr. Findlay's, repressed only by the exigency of the times during the war of 1812, and Mr. Snyder's administration. But the pacific influence of Mr. Monroe's policy checked even these feuds. Everything combined to increase the tendency to repose. In 1820 the President visited New England. It was a perfect ovation. My own earliest recollection of such things is—when a boy of eleven years of age—seeing Mr. Monroe on horseback, with his Revolutionary three-cornered hat and sword, passing through Philadelphia on this journey. His cabinet was formed of representatives from each section of the country—Massachusetts, New York, Georgia, South Carolina, Ohio and Maryland, the President being from Virginia, and for eight years, with the exception of the translation of Mr. Thompson to the Bench and the appointment of Mr. Southard to the Navy Department in his place, it continued as it was first formed; and this, too, although, as will be hereafter seen, there were in it elements of rivalry, if not of antagonism, which it was not easy to control. Mr. Monroe seemed to have the power to do this, and in 1824 he found him-



self, with the single exception I have mentioned, guided by the same counsellors whom he had called round him in 1816.

In Congress a grand repose existed. There was an utter abnegation of mere party feeling. Sectionalism had no existence. The engrossing questions were financial and those connected with the development of the internal resources of the country. The Representatives from the Eastern States were Free Traders, the Middle States were in favour of moderate protection: the South, of a liberal policy in the administration of affairs, to which the ability and perhaps the ambition of the Secretary of War, Mr. Calhoun, gave force and direction. The only compact and obstructive party in Congress or to speak more precisely in the House of Representatives, consisted of a small number of members, generally from the Southwest, known as "Radicals"—a word which, like some others, has had many meanings—who, as economists and strict constructionists voted resolutely and persistently against all expenditure of the public money.

The composition of Congress in its personal elements at the time Mr. Buchanan entered it was peculiar. In the Senate there were rising young men and there were veterans lagging, not superfluously, on the stage of ancient fame. Of such were Rufus King, who had been a Senator, and Nathaniel Macon, a Representative during Washington's administration—and John Gaillard and William Smith of South Carolina, and James Brown of Louisiana. To a class of mature, though younger men, belonged Mr. Van Buren, and Mr. Pinkney who died during the session, and others whose future was less distinguished. Mr. Buchanan to the latest hour of his life cherished grateful and affectionate recollections of the kindness and courtesy which he, then a young man, received at the hands of such men, venerable in every sense, as Rufus King and Nathaniel Macon. e/

The House of Representatives consisted of younger men—indeed, the only one whom I recognize as of ancient days being General Smith, of Maryland, who had been in Congress as far back as 1793. The leading young men from other States than Pennsylvania, were Gorham, and Taylor, and Louis McLane, and Philip P. Barbour, and McDuffie, and Poinsett.

and Harden, and Josiah Stoddart Johnston—and one other, greater than all, who, from a higher sphere as it were, shone with the gentle lustre of the setting sun—William Lowndes of South Carolina. In Pennsylvania, among Mr. Buchanan's colleagues, were Henry Baldwin, and John Sergeant, and John Tod.

Again I pause in my narrative to give, in his own words, Mr. Buchanan's impressions, looking back, as he did, when these words were written, to a distant period, of which he is literally the only survivor of the men in whose companionship he began his public life.\* I have incidentally spoken of Mr. Lowndes and there seems to me something picturesque in the character of one whom I never saw, but who, by a process which I cannot easily describe, seems consecrated in my mind. It has happened to me that I have regarded the character of Mr. Lowndes from two points which, in every sense, may be deemed adverse; and, looking from each, I have learned to think of him as highest on the canon of American statesmen—of the age when there were statesmen. Mr. Sergeant, whose memory I cherish most affectionately, used to speak of William Lowndes as the *beau ideal* of a statesman—pure in private character, of noble aspirations as a public man, a bright and chastened intellect, an education accomplished to the highest point, and a position before the American people which must, had his life been spared, have secured him the highest honours. So was Mr. Lowndes regarded from one point of view. What Mr. Buchanan thought of him, regarding him as it were in a different angle, he shall tell in his own words, when the object of his eulogy had been in his vast and wandering grave for more than forty years:

"I entered the House of Representatives with George McDuffie and Joel R. Poinsett of South Carolina, Andrew Stevenson of Virginia, John Tod of Pennsylvania, John Nelson of Maryland, Reuben H. Walworth and Churchill C. Cambreleng

\* Written in 1867.

of New York, and Benjamin Gorham of Massachusetts. They were all able and promising men, having already attained high distinction in their respective States.

Among those who had served in former Congresses, Mr. William Lowndes, of South Carolina, was the foremost in ability and influence. Next to him stood Mr. Sergeant of Pennsylvania, Mr. McLane of Delaware, Mr. Philip P. Barbour of Virginia, Mr. Baldwin of Pennsylvania, Mr. Tracy of New York, and John Randolph of Roanoke. Neither Mr. Clay nor Mr. Webster was a member of Congress at this period. Mr. Lowndes did not take his seat until December 21st, nearly three weeks after the beginning of the session. In the meantime, the new members of the House awaited his arrival in Washington with much interest. He, with Mr. Calhoun and Mr. Cheves, had constituted what was termed the 'Galaxy' of young men whom South Carolina sent to the House to sustain the war of 1812 with Great Britain and he ranked the first among them.

Mr. Lowndes had been unanimously nominated in December, 1821, by the Legislature of South Carolina, as a candidate for the Presidency to succeed Mr. Monroe. To this he made no direct response. In a letter to a friend in Charleston, after stating that he had not taken and never would take a step to draw the public eye upon him for this high place, he uttered the memorable sentiment: 'The Presidency of the United States is not, in my opinion, an office to be either solicited or declined.' And such was the general conviction of his candor and sincerity that no man doubted this to be the genuine sentiment of his heart. Fortunate would it have been for the country had all future aspirants for this exalted station acted in accordance with this noble sentiment. At the time, as Mr. Benton truly observes, 'he was strongly indicated for an early elevation to the Presidency—indicated by the public will and judgment, and not by any machinery of individual or party management, from the approach of which he shrunk as from the touch of contamination.'\*

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\* Thirty Years in the Senate, Vol. I, p. 19.

“When Mr. Lowndes took his seat in the House, it was apparent to all that his frail and diseased frame betokened an early death, though he was then only in the forty-first year of his age. He was considerably above six feet in height and was much stooped in person. There was nothing striking in his countenance to indicate great and varied intellectual powers. As a speaker he was persuasive and convincing. Though earnest and decided in the discussion of great questions, he never uttered a word which could give personal offence to his opponents or leave a sting behind. His eloquence partook of his own gentle and unpretending nature. His voice had become feeble and husky; and when he rose to speak, the members of the House, without distinction of party, clustered around him so that they might hear every word which fell from his lips. Towards his antagonists he was the fairest debater ever known in Congress. It was his custom to state their arguments so strongly and clearly that John Randolph, on one occasion, exclaimed: ‘He will never be able to answer himself.’ He possessed all the varied information necessary to the character of a great American statesman; and this, not merely in regard to general principles, but to minute practical details.

“On one occasion it became his duty, as chairman of the Committee on Commerce, in the House, to present a history of the origin, progress and character of our trade with the East Indies. This he did with such fullness and precision that Mr. Silsbee, a well informed and much respected member of the House, and afterwards a Senator from Massachusetts, declared in his place, that although he had been engaged in that trade for many years, the gentleman from South Carolina had communicated to the House important information and shed new light on the subject which had never been known to him. On another occasion, two young members made a wager that Mr. Lowndes could not promptly state the process of manufacturing a common pin. On propounding the question to him, he at once stated the whole process in minute detail.

“Mr. Lowndes’ great influence—for he was the undisputed leader in the House—arose in no small degree from the conviction of its members that he never had a sinister or selfish pur-

pose in view, but always uttered the genuine sentiments of his heart. Mr. Lowndes had not the least jealousy in his nature. In his social intercourse with his fellow members he was ever ready and willing to impart his stores of information on any subject, without feeling the least apprehension that these might be used to anticipate what he himself intended to say, or in debate against himself. His health continuing to decline, he resigned his seat in the House, and by the advice of his physicians, embarked in October, 1822, from Philadelphia, in the ship *Moss*, with his wife and daughter, for London. He died on the passage, on the 27th of that month, and was buried at sea.

His death was announced in the House of Representatives on the 21st of January, 1823, by Mr. James Hamilton, his successor. This was the first occasion on which such honours had been paid to the memory of any one not a member of the House at the time of his decease. Among the eulogies pronounced was one by Mr. John W. Taylor, of New York, who had been the speaker of the House during the session immediately preceding. He had been an active and able opponent of Mr. Lowndes throughout the debates and proceedings on the Missouri question, which had for two years convulsed the House and the country, until its settlement at the close of the last session. Coming from a political antagonist, it so graphically presents the true character of Mr. Lowndes, that I am tempted to copy a portion of it. After referring to his death, as 'the greatest misfortune which had befallen the Union' since he had held a seat in its councils, he proceeds: 'The highest and best hopes of this country looked to William Lowndes for their fulfilment. The most honourable office in the civilized world—the Chief Magistracy of this free people—would have been illustrated by his virtues and talents. During nine years' service in this House, it was my happiness to be associated with him on many of its most important committees. He never failed to shed new light on all subjects to which he applied his vigorous and discriminating mind. His industry in discharging the arduous and responsible duties constantly assigned him, was persevering and efficient. To manners the most unassuming, to

patronism the most disinterested, to morals the most pure, to attainments of the first rank in literature and science, he added the virtues of decision and prudence, so happily combined, so harmoniously united, that we knew not which most to admire, the firmness with which he pursued his purpose or the gentleness with which he disarmed opposition. His arguments were made not to enjoy the triumph of victory, but to convince the judgment of his hearers: and when the success of his efforts was most signal, his humility was most conspicuous. You, Mr. Speaker, will remember his zeal in sustaining the cause of our country in the darkest days of the late war.

“The whole House, with one accord, responded to the truthfulness of these sentiments, so happily expressed by Mr. Taylor. And yet, strange to say, the published debates of Congress contain but a meagre and imperfect sketch, and offer no report at all of the speeches of this great and good man. His fame as a parliamentary speaker, like that of the great commoner, Charles James Fox, must mainly rest upon tradition now fast fading away. The editors of the *National Intelligencer* truly remark that, ‘of all the distinguished men who have passed periods of their lives in either House of Congress, there is certainly no one of anything like equal ability who has left fewer traces on the page of history or on the records of Congress than William Lowndes, the eminent representative in Congress for several years of the State of South Carolina.’ The reason which they assign why so few of his eloquent speeches are to be found on record is attributable, in part, to his unfeigned diffidence, which placed less than their true value upon his own exertions, and in part to an objection which he had, on principle, to the practice of *writing out* speeches for publication, either before or after the delivery. Little or no reliance could be placed on the reporters of that day. The art even of shorthand writing was almost unknown in this country, and the published sketches prepared by the so-called Reporters, were calculated to injure, rather than to elevate the character of the speaker.

“How much has been lost to the country by the scruples of Mr. Lowndes may be imagined from the ‘little gem’ of a

speech written out by him at the personal request of Mr. Silsbee, then a member of the House, on the bill for the relief of the family of Commodore Perry, but never published until more than twenty years after his death. It does not appear in the annals of 1821 that he made any speech on this occasion. It may be added, to show the incapacity of the reporters of that day, that there is no other mention of his speech against the Bankrupt bill, commenced on February 21st and concluded on March 5th, 1822, though listened to with rapt attention by the House, except that he did speak on these two days. From physical exhaustion he was unable to say all he had intended on this important subject. His name does not even appear in the index as a speaker on this bill.

"I have written much more than I should otherwise have done, to repair injustice done to the character of the ablest, purest, and most unselfish statesman of his day."\*

Reading and pondering on these words of disinterested eulogy and this fine discrimination of character, and thinking of the influence of the past upon the present, it is not irrational to believe that if, forty years ago, such a man as William Lowndes (and he from South Carolina,) had become Chief Magistrate of this, then infant Republic, a different destiny might have been ours. *Sed Dis aliter visum*: Massachusetts gained the prize, and the seeds of sectionalism were thrown into the ragged furrows of party strife. The growth of real discord began nearly half a century ago.

Of some of Mr. Buchanan's other colleagues in the 17th Congress, he thus writes:

\* In the debate on Chilton's Resolutions, in 1825, Mr. Sergeant said: "At the head of the Committee of Ways and Means, in 1816, was one who could not be remembered without feelings of deep regret at the public loss occasioned by his early death. He possessed, in an uncommon degree, the confidence of this House, and he well deserved it. With so much accurate knowledge, and with powers which enabled him to delight and instruct the House, there was united so much gentleness and kindness, and such real, unaffected modesty, that you were prepared to be subdued before he exerted his commanding powers of argument. I mean William Lowndes, of South Carolina."—Benton's Debate, Vol. IX, 730.

"John Randolph of Roanoke was the most conspicuous, though far from the most influential member of the House, when I first took my seat. He entered the House in 1799 and had continued there, with the exception of two terms, from that early period. His style of debate was in perfect contrast to that of Mr. Lowndes. He was severe and sarcastic sparing neither friend nor foe, when the one or the other laid himself open to the shafts of his ridicule. He was a fine belles lettres scholar, and his classical allusions were abundant and happy. He had a shrill and penetrating voice and could be heard distinctly in every portion of the House. He spoke with great deliberation, and often paused for an instant as if to select the most appropriate word. His manner was confident, proud, and imposing, and pointing, as he always did, his long fore finger at the object of attack, this gave peculiar emphasis to the severity of his language. He attracted a crowded gallery when it was known he would address the House, and always commanded the undivided attention of his whole audience, whether he spoke the words of wisdom or as he often did of folly. For these reasons he was more feared than beloved, and his influence in the House bore no proportion to the brilliancy of his talents. He was powerful in pulling down an administration, but had no skill in building any thing up. Hence, he was almost always in the opposition, but never what is called a business member. To me he was uniformly respectful, and sometimes complimentary in debate. I well remember Mr. Sergeant putting me on my guard against Mr. Randolph's friendship."

"Mr. Sergeant entered the House in December, 1815, and had continued to be a member since that day. As a lawyer, he stood in the front rank among the eminent members of the Bar of Philadelphia, at a period when its members were greatly distinguished throughout the country for ability and learning. His personal character was above reproach. From his first appearance he maintained a high rank in the estimation of the House. As a debater, he was clear and logical, and never failed to impart information. His fault was that of almost every member of Congress who had become a member after a long and successful training at the Bar: He was too exhaustive



in his arguments, touching every point in the question before the House without discriminating between those which were vital and those which were subordinate. His manner was cold and didactic and his prolixity sometimes fatigued the House. In his social intercourse with the members, he was cold but not repulsive. The high estimation in which he was held, arose from the just appreciation of his great abilities and of his pure and spotless private character. There was nothing *ad captandum* about him. He was regarded by his constituents in Philadelphia with pride and affection, who generally spoke of him as 'our John Sergeant.'"

It was among such men that Mr. Buchanan began his career in Congress. The first words he uttered in debate were on the 19th of December, 1821 on a matter of detail in relation to Revolutionary pensions. And here I pause to note that it is by no means easy to do justice to any debater in those days of bad reporting. The fashion of written speeches, or speeches learned by rote, introduced years later by such men as Mr. Burgess, of Rhode Island, and Mr. Everett, of Massachusetts—the best exponents of this mode of artificial oratory—did not exist. A written speech would have been coughed down. Such essays as, now-a-days, are put in type weeks before a word is uttered would not have been tolerated. It was then "debate"—and the best sort of debate; that which has made and still makes the Parliament of Great Britain the great school of practical eloquence.\* The art of reporting was, as I have said imperfect and it is by no means easy to trace the career of even the most eminent, through the disjointed records which have survived.

On the 2d of January, 1822, General Smith, of Maryland, reported a bill making partial appropriations for the Military Establishment for the current year. It was founded on a com-

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\* It was my good fortune to hear in 1859 an accidental debate in both Houses of Parliament, which seemed to me worthy of the days of Pitt and Fox. The speakers were Lord Palmerston, and Mr. D'Israeli, Chancellor of the Exchequer, in the Commons, and Lord Derby and Lord Clarendon in the Lords.

munication from Mr. Calhoun, the Secretary of War, asking for \$150,000 for the Quartermaster General Department: \$10,000 for the Indians; \$300,000 for the pay of the army, (one smiles at these small appropriations now-a-days,) and \$451,000 for Revolutionary pensions. It, or rather a portion of it appropriating \$70,000 to meet a deficiency in the Indian Appropriation, was at once attacked by the Radical economists, aided in this, as in most other obstructive experiments, by Mr. Randolph; nor was there wanting an inner motive for this opposition, as designed to throw obstacles in the way of what were understood to be the aspirations of the Secretary of War. It was an animated, if not an angry debate. On the 9th of January, 1822, Mr. Buchanan made an elaborate speech in favour of the appropriation. He was no partisan of Mr. Calhoun, but he meant to do him justice. "I have," said he, "no feeling of partiality for the Secretary of War nor of prejudice against him. I view him merely as a public character and in that capacity, I conscientiously believe that he has done his duty and acted in the only manner in which he could conscientiously act. In my opinion, he deserves applause rather than censure." Mr. Randolph replied with some asperity. On the 11th, Mr. Buchanan again spoke, urging action on the measure, and the bill finally passed by a vote of 133 to 23—the minority being the whole Radical party—every member from Pennsylvania voting in its favour.\*

Mr. Buchanan's next effort at this session and this a very marked one, was in a debate on the Bankrupt bill: and to this and the circumstances attending it, special attention is due.

All attempts to exercise the constitutional power to establish an uniform system of bankruptcy in this country had been spasmodic. They were always made in times, or on the edge of times of financial distress, and when they succeeded, lasted but a little while. In 1800, one was enacted in consequence of the failure of the land speculations of that day. It was repealed in

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\* Mr. Buchanan's speech was specially reported in the *National Intelligencer*—the Administration "Organ"—with a complimentary prefix, showing the importance attached to it at the time.

1804. It merited the equivocal praise bestowed on it by a Massachusetts historian, "that it had the advantage of sweeping off a great mass of hopeless debts and of assimilating nominal to real values, much resembling in that respect some laws for the abolition of debts, recorded in ancient history, which have proved great stumbling blocks to modern inquirers."\* No measure of the sort succeeded till 1841, Mr. Buchanan being then in the Senate, when a still more sweeping system was established under circumstances little creditable to the country, to continue in existence like its predecessor but a year, and to be repealed with a sort of acclaim. In 1864, in this our day, a new and still more comprehensive Bankruptcy law has been enacted, with what result it is difficult in these abnormal times to predict. Certain it is, that either from the restrictions it imposes, or the condition of financial and commercial affairs, no very great avidity to enjoy its privileges, down to the period when these words are written, has been displayed. This sketch of what has been done is necessary to elucidate the history of one of the unsuccessful attempts at legislation on this subject, in resisting which, Mr. Buchanan had a distinguished part.

It is interesting in another point of view. In it, may be, it seems to me, detected the germ of the great prospective divergence of opinion as to the transcendent power of the Federal Government and the subordination of the States, and the first, perhaps unconscious, development in Mr. Buchanan's mind of what is now known as the Democratic principle of at least equal respect for the rights of the States. That which the abstractions of the Virginia and Kentucky Resolutions had not been able to effect was accomplished, first by doubt on the Bankrupt bill, and then, as will be seen by and by, by conviction on the Internal Improvement question.

There can be no doubt as to the constitutional power of Congress to enact a Bankrupt Law, for it is expressly conferred. But still, a doubt does hang over it, as over too many portions

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\* Hildreth's History of the U. S. New Series, Vol. II, p. 509.

of that instrument, as to what "bankruptcy" or "bankrupt" means. Does it mean all "insolvents," as the friends of these legislative measures contend habitually; or does it mean, as it unquestionably did in England, and as it was declared to mean in the act of 1800, "the trader"—the mercantile insolvent alone? Without pausing to express an opinion on this question, it is obvious that it is a question of strict or liberal construction. Then again, the same divergence shows itself between the two class of statesmen on the question as to the absorption by the Federal Judiciary, for which Congress alone can legislate, of the actual and traditionary functions of the State Courts. A jealousy of a supreme and in one sense, foreign judiciary, operating within State or Colonial lines, was an inheritance from the past. It crops out very plainly in the debate now to be referred to, as will be seen in a speech of Judge Tucker. It exists in a modified form to this very day, and will revive in great vigour to perplex us hereafter, unless the vast functions and jurisdiction which under the real or supposed exigencies of the late Civil War were conferred on the Federal tribunals, are repealed or modified. These, then, were the undeveloped doubts and scruples which the attempted legislation of 1821-2 brought into action.

It, as in all such cases, was the fruit of extensive financial and commercial disaster—that which ensued after the Peace of 1815 and which desolated the land, or a portion of it, for four or five years. It may have been exaggerated in the ardour of debate but it unquestionably existed. The measure had its origin in an actively commercial community, for such then was Philadelphia, and was introduced and urged by one who, by common consent, in the long tide of time, is recognized as the ablest man Philadelphia ever sent to Congress, Mr. Sergeant. He was Chairman of the Judiciary Committee and reported the Bankrupt bill on the 11th December, 1821. The debate was opened by Mr. Sergeant on the 22d January, 1822. He spoke for two days and with unusual animation and ability, so much so, that while strictly speaking, in a personal memoir like this, it is aside from the proper current of thought to criticise others, I may be pardoned for expressing the opinion that this speech

of Mr. Sergeant is by far the ablest he ever made in Congress—very much excelling that by which, accidentally, he won more reputation—his speech on the Missouri restriction. It is, I may be permitted to add, a most characteristic speech in this: that in the earnest sympathy which he expressed for the oppressed and unfortunate debtors—the ruined men in his own Philadelphia and elsewhere—he developed those gentle, almost feminine traits of a generous nature which, and that too under a rugged exterior, he possessed more than any man I ever knew. My duty to my main subject prevents me from doing more than make this incidental reference to one for whom I have very many reasons for cherishing a warm affection.

I can do little more than trace the outline of this remarkable debate which, beginning, as I have said, in January, did not terminate till the 12th March, not however continuing from day to day. It was a debate without party or sectional lines. There was no party. Local delegations were divided—Pennsylvania almost equally: New England partially; the South, resting its opposition on what it deemed a constitutional scruple, alone was compact. The debate, as reported, shows that in ability and numbers the opponents of the measure largely predominated. Mr. Sergeant fought almost alone. Against him, besides many others, were enlisted the judicial force of George Tucker; the subtlety of Philip P. Barbour—both of whose speeches are reported—and the serene eloquence of Mr. Lowndes who, though opposed to the bill, seems to have differed from the Virginia constructionists. Mr. Buchanan did not take part in the discussion till the last and critical moment, but then he gave it the crowning blow. It was thus.

The bill as reported, was retrospective as well as prospective but comprised only traders, commercial insolvents. It was so discussed mainly. On the 12th March, 1822, on the motion of a professing and perhaps a real friend, a member from Kentucky, it was amended so as to include all classes of the community. At this remote period I am not able to say whether this was meant in friendliness or enmity to the measure, but it settled its doom. On the day the amendment was adopted Mr. Buchanan spoke in opposition to the bill, and after a brief reply by Mr.

Wright, of Maryland—for Mr. Sergeant seems, after the adoption of the amendment, to have given up the contest, or at least was silent—the vote was taken, and the Bankrupt bill was lost, by a vote of 99 to 72. The Pennsylvanians voted eight in favour of the bill—among whom I note, beside Mr. Sergeant's, the name of Baldwin, and Mr. Farrelly, and Mr. Tod—and against it nine, Mr. Buchanan's being the only one of mark.

It is not the part of biography to report or even to make extracts from recorded speeches, but this effort of Mr. Buchanan's was too marked in its influence, not only on the body in which it was made, but on his own future, to be passed without special remark. It is, as we read it now, a calm, statesman-like, almost philosophical view of a vexed question. It has none of the vehemence or pathos or perhaps eloquence of the one kind, which I have said, characterized Mr. Sergeant's speech on the other side; but it has something better—compact, conclusive logic, made more impressive, in perusing it in the light thrown upon it by the experience of the many, many succeeding years when the country did perfectly well without a Bankrupt law. There is that in it too, which, as I have already hinted, has peculiar interest as illustrating the progress of Mr. Buchanan's political opinions. It was latent, but it can be traced. On the very threshold he disclaimed, with emphasis, any doubt of the constitutional power to pass a Bankrupt act, and it is from the few words in which he made this disclaimer that we learn that Mr. Lowndes took the same view. Neither did he assert the doctrine broadly that the "bankruptcy" of the Constitution necessarily and exclusively meant commercial insolvency. In fact, he conceded that it did not. He stood on no such refined scruples, but, in the true spirit of a statesman, he rested his opposition on the higher ground, that it is contrary to the nature and spirit of our Government to extend so peculiar a legislative remedy or penalty—consider it as we may—to all classes of people. This he argues. But while in these concessions as to the constitutional question there is nothing which the most liberal constructionist would cavil at, the critical reader will, without difficulty, detect a vein of thought—a thread of opinion as it were—running through it, thoroughly in harmony

with the doctrine of that school of high politics to which Mr. Buchanan soon attached himself, and to which, in all his public and private utterances, he adhered to the last hour of his life. "The bill," said he, "as it stood before the amendment, went far enough. It would, even then, have brought the operation of the law and the jurisdiction of the Federal courts into the bosom of every community. The bill as it now stands, will entirely destroy the symmetry of our system and make those courts the arbiters, in almost every case, of contracts to which any member of society who thinks proper to become a bankrupt may be a party. It will at once be, in a great degree, a judicial consolidation of the Union. This was never intended by the friends of the Constitution." Again, he said: "The jurisdiction of Federal courts is now chiefly confined to controversies existing between the citizens of different States. The bill, if it should become a law, will amount to a judicial consolidation of the Union." Such, throughout, is the tendency of Mr. Buchanan's mind, as revealed in this remarkable speech, from which, aside from the view I have just taken of its general tenour, I venture to make one extract, as illustrative of Mr. Buchanan's measured, but more animated eloquence.

"Let a bankrupt be presented to the view of society, who has become wealthy since his discharge, and who, after having ruined a number of his creditors, shields himself from the payment of his honest debts by his certificate, and what effects would such a spectacle be calculated to produce? Examples of this nature must at length demoralize any people. The contagion introduced by the laws of the country would, for that very reason, spread like a pestilence, until honesty, honour, and faith, will at length be swept from the intercourse of society. Leave the agricultural interest pure and uncorrupted, and they will forever form the basis on which the Constitution and liberties of your country may safely repose. Do not, I beseech you, teach them to think lightly of the solemn obligation of contracts. No Government on earth, however corrupt, has ever enacted a bankrupt law for farmers; it would be a perfect monster in this country, where our institutions depend altogether upon the virtue of the people. We have no constitutional power to pass the amendment pro-

posed by the gentleman from Kentucky ; and; if we had, we never should do so, because such a provision would spread a moral taint through society which would corrupt it to its very core."

Be the merits of this speech, as we now read it, what they may, its effect in the assembly to which it was addressed was very great. It commanded profound attention, and at once placed the Pennsylvania statesman in the highest rank of public men and debaters. From that day his career was an assured success. It is for this that I shall be pardoned for dwelling on it.

The session continued till the 8th of May, 1822, Mr. Buchanan taking an active and effective share in its proceedings. The only other part of his Congressional action to which I shall refer, is his course on the Cumberland Road Bill, on the 9th April, 1822. It also has its special interest in illustrating the course of personal feelings and opinions.

Among the things of the past—almost as obsolete as the pathway which, more than a century ago, Braddock cut through the mountain forest—is the turnpike road called National, which was built by the Federal Government, and which extended from Cumberland, in the State of Maryland, to Wheeling, in the State of Virginia. It was completed before Mr. Buchanan entered Congress. It was an expensive experiment, costing, as all works so constructed do, far more than it would have done under private or corporate management exceeding by two-thirds the special fund of a per centage on the sales of public lands which had been designed for it. The periodical deficiencies were supplied by appropriations from the Treasury. Being completed, the question arose how it was to be preserved and kept in repair. Should this too be a tax on the Government, or should the road be made self-supporting by means of toll-gates authorized by Congress? It was a form of public improvement which commanded no very extensive popularity. Running through the narrowest portion of Maryland, a corner of Pennsylvania, and barely touching Virginia, no part of the country at large cared much about it, except the West, and the West was not then as powerful and influential as since or now. In Pennsylvania there was positive antagonism. The citizens



of this State had built, at an expense which, according to the standard of those times, was very great, a turnpike road from Philadelphia to Pittsburgh, kept in repair by tolls and paying a small dividend to its stockholders. They thought and had a right to think it gross injustice that a rival road should be, not only built, but supported out of the Federal Treasury; such a gratuity was a premium to travellers and freight to choose one route in preference to the other.

These questions presented themselves for decision to the 17th Congress. A small balance of less than \$10,000 happened to remain in the Treasury out of the last appropriation for continuing of the Cumberland Road. In the General Appropriation Bill of this session there was applied to the repair of the road an amount which, small as it was, as an appropriation by Congress would settle the principle for the future. A member from New Jersey (Mr. Condict), a State that had no interest in this circuitous route westward, moved to increase the appropriation. On this, a debate sprang up of more than ordinary animation in which Mr. Buchanan took a leading part. His speech, in a certain sense, was a defence of Pennsylvania, but of Pennsylvania as one of the sisterhood of States.

"The truth is," said Mr. Buchanan, "we are all so connected together by our interests, as to place us in a state of mutual dependence upon each other, and to make that which is for the interest of any one member of the Federal family beneficial, in most instances, to all the rest. We never can be divided without first being guilty of political suicide. The prosperity of all the States depends as much upon their Union, as human life depends upon that of the soul and body."

The appropriation failed, and the road was left to its own resources. No alternative remained but to authorise by Federal authority the toll gates, and make the road take care of itself. This, with a specific appropriation of the small balance already referred to, was embodied in a bill and passed both Houses of Congress. For this Mr. Buchanan voted, with most, if not all of his Pennsylvania colleagues. It was his last vote or his last but one on the side of what, for want of a better word, I must call "Federalism" or constitutional latitudinarianism.

On the 4th of May, 1822, the President returned the bill to the House of Representatives, with a brief statement of his objections accompanying them with what may be termed an enormously long essay containing "his sentiments as he had from time to time written them down." It fills fifty-five closely printed columns of the "Annals of Congress." He denied the power of Congress to erect toll-gates and collect tolls, but declared it to be his "idea, that Congress having an unlimited power to raise money, had an absolute discretion in its appropriation, restricted only by the duty to appropriate to purposes of common defence and of general, not local benefit." He uttered State Right doctrine very emphatically when he said in his message, "I am of opinion that Congress does not possess this power; that the States individually cannot grant it; for although they may consent to the appropriation of money within their limits for such purposes, they can grant no power of jurisdiction or sovereignty by special compacts with the United States."

The message was sustained in the House by a vote of 68 to 72, and the bill fell.

This Message of Mr. Monroe marked a new era in Mr. Buchanan's political career. If, as he has often told me, it did not convert him, it turned his serious attention to the relative powers of the Federal and State Governments under the Constitution. He felt that he had been in error before. Who that during the last six years is conscious of having his mind illuminated on constitutional questions on which, for want of thought, he before had no doubt, by the lightning processes of the recent past, will cavil at such a change of opinion? It is a striking fact, that from the day of this change of opinion, or rather from the date of Mr. Monroe's message until during the Civil War, when all manner of exorbitancies were connived at, no such intrusive experiment on the sovereign sanctity of the States has been attempted.

Mr. Buchanan, thus convinced of error in having voted for the bill, seized the first opportunity of retracting it on the floor of the House. At the next session of Congress, when the proposition was made to appropriate \$25,000 for the preservation

and repair of the Cumberland Road, he moved as an amendment a provision to retrocede any right which the United States might have to this road, to the three States through which it passed, on condition they would accept the same and engage to keep it in repair and collect no more tolls upon it than would be necessary for this purpose—a compact, by-the-by, which under Mr. Monroe's strict doctrine, could hardly be made. In offering this amendment, he declared that he had been fully convinced by the argument of Mr. Monroe's message that he had unwittingly violated the Constitution in voting for the erection of toll-gates on the Cumberland Road. The only alternatives now were, either to restore the road to the States which had the undoubted power of collecting toll upon it, or to keep it in repair by annual appropriations from the Treasury. This mode would be unequal and unjust.

The vote was finally taken on Mr. Buchanan's amendment, on the 21st February, 1823 (p. 1072), and it was rejected by a vote of 65 to 86, and the bill was passed. Of Mr. Buchanan's Pennsylvania colleagues who voted for retrocession ten, among whom was Mr. Sergeant, voted with him, and six against him—the leading Calhoun member, Mr. Rogers, being one of the six—as did Mr. McDuffie, of South Carolina, and Mr. Moore, of Alabama.

Six years afterwards, in 1829, during General Jackson's first administration, and still later, in 1836, when Mr. Buchanan was a Senator, he had occasion to reiterate his views on this vexed and now obsolete question. His speech in 1829 is so exhaustive and emphatic, that contrary to the rule which as a writer of biography I have imposed on myself, I cannot resist the temptation to reproduce it. It embodies a clear statement of the Conservative, State Right doctrine of the pure and primitive days of the Republic:

“Mr. Buchanan said that the bill and the amendment now before the Committee presented a subject for discussion of the deepest interest to the American people. It is not a question whether we shall keep the road in repair by annual appropriations: nor whether we shall expend other millions in

constructing other Cumberland roads: these would be comparatively unimportant: but it is a question, upon the determination of which, in my humble judgment, depends the continued existence of the Federal constitution, in any thing like its native purity. Let it once be established that the Federal Government can enter the dominion of the States: interfere with their domestic concerns; erect toll gates over all the military, commercial, and post roads, within their territories, and define and punish, by laws of Congress, in the courts of the United States, offences committed upon these roads: and the barriers, which were erected by our ancestors with so much care, between Federal and State power, are entirely prostrated. This single act would, in itself, be a longer stride towards consolidation than the Federal Government have ever made: and it would be a precedent for establishing a construction for the Federal constitution so vague, and so indefinite, that it might be made to mean any thing, or nothing.

It is not my purpose, upon the present occasion, again to agitate the questions which have so often been discussed in this House, as to the powers of Congress in regard to Internal Improvements. For my own part, I cheerfully accord to the Federal Government the power of subscribing stock, in companies incorporated by the States, for the purpose of making roads and canals: and I entertain no doubt whatever, but that we can, under the constitution, appropriate the money of our constituents directly to the construction of Internal Improvements, with the consent of the States through which they may pass. These powers I shall ever be willing to exercise, upon all proper occasions. But I shall never be driven to support any road or any canal, which my judgment disapproves, by a fear of the senseless clamor which is always attempted to be raised against members upon this floor, as enemies to Internal Improvement, who dare to vote against any measure which the Committee on Roads and Canals think proper to bring before this House. It was my intention to discuss the power of Congress to pass the bill, and its policy, separately. Upon reflection, I find these subjects are so intimately blended they cannot easily be separated. I shall, therefore, consider them together.

“Before, however, I enter upon the subject, it will be necessary to present a short historical sketch of the Cumberland road. It owes its origin to a compact between the State of Ohio and the United States. In 1802, Congress proposed to the convention which formed the constitution of Ohio, that they would grant to that State one section of land in each township, for the use of schools; that they would also grant to it several tracts of land on which there were salt springs; and that five per cent. of the net proceeds of the future sales of public lands within its territory should be applied to the purpose of making public roads, ‘leading from the navigable waters emptying into the Atlantic to the Ohio, to the said State, and through the same.’ The act, however, distinctly declares that such roads shall be laid out under the authority of Congress, ‘with the consent of the several States through which the road shall pass.’ These terms were offered by Congress, to the State of Ohio, provided she would exempt, by an irrevocable ordinance, all the land which should be sold by the United States within her territory, from every species of taxation, for the space of five years after the day of sale. This proposition of Congress was accepted by the State of Ohio, and it thus became a compact, the terms of which could not be changed without the consent of both the contracting parties. By the terms of the compact, this five per cent. of the net proceeds of the sales of the public land was applicable to two objects: the first, the construction of roads leading from the Atlantic to the State of Ohio; and the second, the construction of roads within that State. In 1803 Congress, at the request of Ohio, apportioned this fund between these two objects. Three of the five per cent. was appropriated to the construction of roads within the State, leaving only two per cent. applicable to roads leading from the navigable waters of the Atlantic to it.

“In March, 1806, Congress determined to apply this two per cent. fund to the object for which it was destined, and passed ‘An Act to regulate the laying out and making of a road from Cumberland, in the State of Maryland, to the State of Ohio.’ Under the provisions of this act, before the President could

proceed to cut a single tree upon the route of the road, it was made necessary to obtain the consent of the States through which it passed. The Federal Government asked Maryland, Pennsylvania, and Virginia, for permission to make it, and each of them granted this privilege in the same manner that they would have done to a private individual, or to a corporation created by their own laws.

“ Congress, at that day, asserted no other right than a mere power to appropriate the money of their constituents to the construction of this road, after the consent of these States should be obtained. The idea of a sovereign power in this Government to make the road, and to exercise jurisdiction over it, for the purpose of keeping it in repair, does not, then, appear to have ever entered the imagination of the warmest advocate for federal power. The federalism of that day would have shrunk with horror from such a spectre. There is a circumstance worthy of remark in the act of the Legislature of Pennsylvania, which was passed in April, 1807, authorizing the President of the United States to open this road. It grants this power upon condition that the road should pass through Uniontown and Washington, if practicable? The grant was accepted upon this condition, and the road was constructed. Its length is one hundred and thirty miles, and its construction and repairs have cost the United States one million seven hundred and sixty-six thousand one hundred and sixty-six dollars and thirty-eight cents; whilst the two per cent. fund which we had bound ourselves to apply to this purpose, amounted, on the 30th of June, 1822, the date of the last official statement within my knowledge, only to the sum of one hundred and eighty-seven thousand seven hundred and eighty-six dollars and thirty-one cents: less than one-ninth of the cost of the road. This road has cost the United States more than thirteen thousand five hundred dollars per mile. This extravagant expenditure shows, conclusively, that it is much more politic for us to enlist individual interest in the cause of Internal Improvement, by subscribing stock, than to become ourselves sole proprietors. Any Government, unless under extraordinary circumstances, will pay one-third more for

constructing a road or canal, than would be expended by individuals in accomplishing the same object.

“I shall now proceed to the argument. Upon a review of this brief history, what is the conclusion at which we must arrive? That this road was made by the United States, as a mere proprietor, to carry into effect a contract with the State of Ohio, and not as a sovereign. In its construction, the Federal Government proceeded as any corporation or private individual would have done. We asked the States for permission to make the road through the territories over which their sovereign authority extended. After that permission had been obtained, we appropriated the money, and constructed the road. The State of Pennsylvania even annexed a condition to her grant, with which the United States complied. She also conferred upon the agents of the United States the power of taking materials for the construction and repair of this road, without the consent of the owner, making a just compensation therefor. This compensation was to be ascertained under the laws of the State, and not under those of the United States. The mode of proceeding to assess damages in such a case against the United States was precisely the same as it is against corporations, created by her own laws, for the purpose of constructing roads.

“What, then, does this precedent establish? Simply, that the United States may appropriate money for the construction of a road through the territories of a State, with its consent; and I do not entertain the least doubt but that we possess this power. What does the present bill propose? To change the character which the United States has hitherto sustained, in relation to this road, from that of a simple proprietor to a sovereign. To declare to the nation, that, although they had to ask the States of Maryland, Pennsylvania, and Virginia, for permission to make the road, now, after it is completed, they will exercise jurisdiction over it, and collect toll upon it, under the authority of their own laws, for the purpose of keeping it in repair. We will not ask the States to erect toll gates for us. We are determined to exercise that power ourselves. The Federal Government first introduced itself into the States as a

friend, by permission; it now wishes to hold possession, as a sovereign, by power.

“This road was made in the manner that one independent sovereign would construct a road through the territories of another. Had Virginia been a party to the compact with Ohio, instead of the United States, she would have asked the permission of Maryland and Pennsylvania to construct the Cumberland road through their territories, and it would have been granted. But what would have been our astonishment, after this permission, had Virginia attempted to assume jurisdiction over the road in Pennsylvania, to erect toll gates upon it under the authority of her own laws, and to punish offenders against these laws in her own courts. Yet the two cases are nearly parallel.

“The right to demand toll, and to stop and punish passengers for refusing to pay it, is emphatically a sovereign right, and has ever been so considered amongst civilized nations. The power to erect toll gates necessarily implies, 1st. The stoppage of the passenger until he shall pay the toll. 2d. His trial and punishment, if he should, either by force or fraud, evade or attempt to evade its payment. 3d. A discretionary power as to the amount of toll. 4th. The trial and punishment of persons who may willfully injure the road or violate the police established upon it. These powers are necessarily implied. Without the exercise of them, you could not proceed with safety to collect the toll for a single day. Other powers will soon be exercised. If you compel passengers to pay toll, the power of protecting them whilst travelling along your road is almost a necessary incident. The sovereign, who receives the toll, ought naturally to possess the power of protecting him who pays it. To vest the power of demanding toll in one sovereign, and the protection of the traveller's person in another, would be almost an absurdity. The Federal Government would probably, ere long, exercise the power of trying and punishing murders and robberies, and all other offences committed upon the road. To what jurisdiction would the trial and punishment of these offences necessarily belong? To the courts of the United States, and to them alone. In Ohio, in New York, in Virginia, and in



magazines, arsenals, dock-yards, and other needful buildings.' This is the only clause in the Constitution which authorizes the Federal Government to acquire jurisdiction over any portion of the territory of the States; and this power is expressly confined to such forts, magazines, arsenals, dockyards, and other needful buildings, as the States may consider necessary for the defence of the country. You will thus perceive with what jealousy our ancestors conferred jurisdiction upon this Government—even over such places as were absolutely necessary for the exercise of self-defence, of self-preservation—the power given to this Government of wielding the whole physical force of the country, for the preservation of its existence and its liberties does not confer any implied jurisdiction over the smallest portion of territory. An express authority is given to acquire jurisdiction for military and for naval purposes, and for them alone, with the consent of the States. Unless that consent has been first obtained, the vast power of war confers no incidental jurisdiction even over the cannon in your national fortifications. How, then, can it be contended, with the least hope of success, that the same Constitution, which thus expressly limits our power of acquiring jurisdiction to particular spots necessary for the purpose of national defence, should, by implication, as an incident to the power to establish post offices and post roads, authorise us to assume jurisdiction over a road one hundred and thirty miles in length, and over all the other post roads in the country. If this construction be correct, all the limitations upon Federal power contained in the Constitution are idle and vain. There is no power which this Government shall ever wish to usurp which cannot, by ingenuity, be found lurking in some of the express powers granted by the Constitution. In my humble judgment, the argument in favor of the constructive power to pass the sedition law is much more plausible than any which can be urged by the advocates of this bill, in favour of its passage. I beg gentlemen to reflect, before they vote in its favour.

“I thank the gentleman from Ohio, (Mr. Vance,) for having reminded me of the resolution passed by the Legislature of Pennsylvania, at its last session, which authorises the Federal

Government to erect toll-gates upon this road, within that Commonwealth, to 'enforce the collection of tolls, and, generally, to do and perform any and every other act and thing which may be deemed necessary to ensure the permanent repair and preservation of the said road.'

"I feel the most unfeigned respect for the Legislature of my native State. Their deliberate opinion, upon any subject, will always have a powerful influence over my judgment. It is fairly entitled to as much consideration as the opinion of this or any other legislative body in the Union. This resolution, however, was adopted, as I have been informed, without much deliberation and without debate. It owes its passage to the anxious desire which that body feel to preserve the Cumberland road from ruin. The constitutional question was not brought into discussion. Had it been fairly submitted to that Republican Legislature, I most solemnly believe they would have been the last in this Union to sanction the assumption by this Government of a jurisdiction so ultra-federal in its nature and so well calculated to destroy the rights of the States.

"But this resolution can have no influence upon the present discussion. The people of the State of Pennsylvania never conferred upon their Legislature the power to cede jurisdiction over any portion of their territory to the United States, or to any other sovereign. If the Legislatures of the different States could exercise such a power, the road to consolidation would be direct. If they can cede jurisdiction to this Government over any portion of their territories, they can cede the whole, and thus altogether destroy the Federal system.

"Even if the States possessed the power to cede, the United States have no power to accept such cessions. Their authority to accept cessions of jurisdiction is confined to places 'for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings.' Mr. Monroe, in the message to which I have already referred, declares his opinion 'that Congress do not possess this power; that the States, individually, cannot grant it; for, although they may assent to the appropriation of money, within their limits, for such purposes, they can grant no power

of jurisdiction, or sovereignty, by special compacts with the United States.'

I think it is thus rendered abundantly clear, that, if Congress do not possess the power, under the Federal constitution, to pass this bill, the States through which the road passes cannot confer it upon them. I feel convinced that even the gentleman from Virginia [Mr. Mercer] will not contend that the resolution of the Legislature of Pennsylvania could bestow any jurisdiction upon this Government. I am justified in this inference, because that resolution is, in its nature, conditional, and requires that the amount of tolls collected in Pennsylvania shall be applied, exclusively, to the repair of the road within that State; and the present bill contains no provision to carry this condition into effect. The gentleman cannot, therefore, derive his authority to pass this bill from a grant, the provisions of which he has disregarded.

"This question has already been settled, so far as a solemn legislative precedent can settle any question. During the session of 1821-2, a bill, similar in its provisions to the one now before the Committee, passed both Houses of Congress. The vote, on its passage in this House, was eighty-seven in the affirmative, and sixty-eight in the negative. Mr. Monroe, then President of the United States, returned this bill to the House of Representatives, with his objections. So powerful, and so convincing were his arguments, that, upon its re-consideration, but sixty-eight members voted in the affirmative, whilst seventy-two voted in the negative. Thus, you perceive, that this House have already solemnly declared, in accordance with the deliberate opinion of the late President of the United States, that Congress do not possess the power to erect toll-gates upon the Cumberland road. That distinguished individual was the last of the race of Revolutionary Presidents, and, from the soundness of his judgment and the elevated stations which he has occupied, his opinion is entitled to the utmost respect. He was an actor in many of the political scenes of that day when the Constitution was framed, and when it went into operation under the auspices of Washington—'all which he saw, and part of which he was.' He is, therefore, one of the few surviving statesmen, who, from

actual knowledge, can inform the present generation what were the opinions of the past. The solemnity and the ability with which he has resisted the exercise of the power of Congress to pass this bill prove, conclusively, the great importance which he attached to the subject.

“During that session, which was the first I had the honour of a seat in this House, I voted for the passage of that bill. I had not reflected upon the constitutional question, and I was an advocate of the policy of keeping the road in repair by collecting tolls from those who travelled upon it. After I read the constitutional objections of Mr. Monroe, my opinion was changed, and I have ever since been endeavouring, upon all proper occasions, to atone for my vote, by advocating a cession of the road to the respective States through which it passes, that they may erect toll-gates upon it and keep it in repair. There was a time in the history of this country—I refer to the days of the first President of the United States—when this Government was feeble, and when, in addition to its own powers, the weight of his personal character was necessary fairly to put it in motion. Jealousy of Federal power was then the order of the day. The gulf of consolidation then yawned before the imagination of many of our wisest and best patriots, ready to swallow up the rights of the States and the liberties of the people. In those days this vast machine had scarcely got into regular motion. Its power and its patronage were then in their infancy, and there was, perhaps, more danger that the jealousy of the States should destroy the efficiency of the Federal Government, than that it should crush their power. Times have changed. The days of its feebleness and of childhood have passed away. It is now a giant—a Briareus—stretching forth its hundred arms, dispensing its patronage, and increasing its power over every portion of the Union. What patronage and what power have the States to oppose to this increasing influence? Glance your eye over the extent of the Union: compare State offices with those of the United States: and, whether avarice or ambition be consulted, those which belong to the General Government are greatly to be preferred to the offices which the States can bestow. Jealousy of Federal power—not of a narrow and

Maryland, it has been determined that State courts, even if Congress should confer it, have no jurisdiction over any penal action or criminal offence against the laws of the United States.

“Even if these decisions were incorrect, still it has never been seriously contended that State courts were bound to take jurisdiction in such cases. It must be admitted by all that Congress have not the power to compel an execution of their criminal or penal laws by the courts of the States. This is sufficient for my argument. Even if the power existed in State courts, they never ought, unless upon extraordinary occasions, to try and to punish offences committed against the United States. The peace and harmony of the people of this country require that the powers of the two Governments should never be blended. The dividing line between their separate jurisdictions should be clearly marked: otherwise dangerous collisions between them must be the inevitable consequence. In two of the States, through which this road passes, it has already been determined that their courts cannot take jurisdiction over offences committed against the laws of Congress. What, then, is the inevitable consequence? All the penal enactments of this bill, or of the future bills which it will become necessary to pass to supply its defects, must be carried into execution by the Federal courts. Any citizen of the United States, charged with the most trifling offence against the police of this road, must be dragged for trial to the Federal court of that State within whose jurisdiction it is alleged to have been committed. If committed in Maryland, the trial must take place in Baltimore; if in Pennsylvania, at Pittsburg: if in Virginia, at Clarksburg.

“The distance of one or two hundred miles which he would be compelled to travel to take his trial, and the expenses which he must necessarily incur, would, in themselves, be a severe punishment for a more aggravated offence. Besides, the people in the neighborhood would be harassed in attending as witnesses at such a great distance from their places of abode. These, and many other inconveniences, which I shall not enumerate, would soon compel Congress to authorize the appointment of Justices of the peace or some other inferior tribunals, along the whole extent of the Cumberland road.

“Can any man lay his hand upon his heart and say that, in his conscience, he believes the Federal Constitution ever intended to bestow such powers on Congress? The great divisions of power, distinctly marked on that instrument, are external and internal. The first are conferred upon the General Government—the last with but few exceptions, and those distinctly defined, remain in possession of the States. It never—never was intended that the vast and mighty machinery of this Government should be introduced into the domestic, the local, the interior concerns of the States, or that it should spend its power in collecting toll at a turnpike gate. I have not been presenting possible cases to the committee. I have confined myself to what must be the necessary effects of the passage of the bill now before us. By what authority is such a tremendous power claimed? That it is not expressly given by the Constitution, is certain. If it exists at all, it must, therefore be incidental to some express power: and, in the language of the constitution, ‘be necessary and proper for carrying that power into execution.’ From the very nature of incidental power, it cannot transcend the specific power which calls it into existence. The stream cannot flow higher than its fountain. This principle applies, with peculiar force, to the construction of the constitution. For the purpose of carrying into effect any of its specific powers, it would be absurd to contend that you might exercise another power, greater and more dangerous than that expressly given. The means must be subordinate to the end. Were any other construction to prevail, this Government would no longer be one of limited powers.

“The present case affords a striking and forcible illustration of this principle. Let it be granted that you have a right, as proprietor, by permission of the States, to make a road through their territories, can it ever follow, as an incident to this mere power of appropriating the public money, that you may exercise jurisdiction over this very road as a sovereign? If you could, the incident is as much greater than the principal, as sovereign is superior to individual power. It does follow that you can keep the road in repair, by appropriations, in the same manner that you have made it; but this, is the utmost limit of

your power. What, Sir! Exclusive jurisdiction over the road, for its preservation, and for the punishment of all offenders who travel upon it, and that as an incident to the mere power of expending your money upon its construction! The idea is absurd.

“Under the power given to Congress ‘to establish post offices and post roads,’ the Federal Government possess the undoubted right of converting any road already constructed, within any State of this Union, into a post road. Let it also be granted, for the sake of the argument, that they possess the power, independently of the will of the States, to construct as many post roads throughout the Union as they think proper, and to keep them in repair; does it follow that they can establish toll gates upon such roads? Certainly not. What is the nature of the power conferred upon Congress? It is a mere right to carry and to protect the mail. It is confined to a single purpose—to the transportation of the mail, and the punishment of offences which violate that right. This is the sole object of that power—the sole purpose for which it was called into existence. Over some post roads, the mail is carried once per day; and over others once per week. With what justice can it be contended that this right of passage for a single purpose—this occasional use of the roads within the different States, for post roads—vests in Congress the power of closing up these roads against all the citizens of those States, at all times, until they have paid such a toll as we may think proper to impose. Let me present the naked argument of gentlemen before their own eyes. Congress have the right, under the Constitution, to ‘establish post offices and post roads.’ As an incident they possess the power of constructing post roads. As another incident to this right of passage for a single purpose, they possess the power to assume jurisdiction over all post roads in the different States, and prevent any person from passing over them, unless upon such terms as they may prescribe. This would, indeed, be construction construed. I would ask the gentleman from Virginia (Mr. Mercer), to furnish the committee with an answer to this argument. If I were to grant to that gentleman a right of passage for a particular purpose only, over a road which belonged to me, what would be my surprise and

my indignation, were he to shut it up, by the erection of toll gates, and prohibit me from passing, unless I paid him toll.

“Should Congress act upon the precedent which the passage of this bill would establish, it is impossible to foresee the dangers which must follow to the States and to the people of this country. Upon this branch of the question, permit me to quote the language of Mr. Monroe, in his celebrated message of May, 1822, denying the constitutional power of Congress to erect toll-gates on the Cumberland road: ‘If, said he, the United States possessed the power contended for under this grant, might they not, in adopting the roads of the individual States for the carriage of the mail, as has been done, assume jurisdiction over them, and preclude a right to interfere with, or alter them? Might they not establish turnpikes, and exercise all the other acts of sovereignty above stated, over such roads necessary to protect them from injury, and defray the expense of repairing them? Surely if the right exists, these consequences necessarily follow, as soon as the road was established. The absurdity of such a pretension must be apparent to all who examine it. In this way a large portion of the territory of every State might be taken from it; for there is scarcely a road in any State which will not be used for the transportation of the mail. A new field for legislation and internal government would thus be opened.’ Arguments of the same nature would apply with equal, if not greater force to those roads which might be used by the United States for the transportation of military stores, or as a medium of commerce between the different States. I shall not now enlarge upon this branch of the subject, believing it, as I do, to be wholly unnecessary.

“There is another view of this subject, which I deem to be conclusive. The Constitution of the United States provides that ‘Congress shall have power to exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square,) as may, by cession of particular States, and the acceptance of Congress, become the seat of government of the United States, and to exercise the like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts,



mean character, but a watchful and uncompromising jealousy—is now the dictate of the soundest patriotism. The General Government possesses the exclusive right to impose duties upon imports—by far the most productive and the most popular source of revenue. United and powerful efforts are now making to destroy the revenue which the State derives from sales at auction. This Government is now asked to interpose its power between the buyer and seller, and put down public sales of merchandise within the different States—a subject heretofore believed to be within the exclusive jurisdiction of the State sovereignties. Whilst the Federal Government has been advancing with rapid strides, the people of the States have seldom been awakened to a sense of their danger. In the late political struggle, they were aroused, and they nobly maintained their own rights. This, I trust, will always be the case hereafter. Thank Heaven! whilst the people continue true to themselves, the constitution contains within itself those principles which must ever preserve it. From its very nature—from a difference of opinion as to the constructive powers which may be necessary and proper to carry those which are enumerated into effect—it must ever call into existence two parties, the one jealous of Federal, the other of State power; the one anxious to extend Federal influence, the other wedded to State rights; the one desirous to limit, the other to extend, the power and the patronage of the General Government. In the intermediate space there will be much debatable ground; but a general outline will still remain, sufficiently distinct to mark the division between the political parties which have divided, and which will probably continue to divide, the people of this country. Jealousy of Federal power had long been stumbling. The voice of Virginia, sounding the alarm, has at length awakened several of her sister States; and, although they believe her to be too strict in her construction of the Constitution and her doctrines concerning State rights, yet they are now willing to do justice to the steadiness and patriotism of her political character. She has kept alive a wholesome jealousy of Federal power.

“If, then, there be a party in this country friendly to the rights of the States and of the people, I call upon them to

oppose the passage of this bill. Should it become a law, it will establish a precedent, under the authority of which, the sovereign power of this Government can be brought home into the domestic concerns of every State in the Union. We may then take under our own jurisdiction every road over which the mail is carried—every road over which our soldiers and warlike munitions may pass—and every road used for the purpose of carrying on commerce between the several States. Once establish this strained construction of the Federal Constitution, and I would ask gentlemen to point out the limit where this splendid Government shall be compelled to stay its chariot wheels. Might it not then drive on to consolidation, under the sanction of the Constitution?

“Is there any necessity for returning upon this dangerous and doubtful measure? I appeal to those gentlemen who suppose the power to be clear, what motive they can have for forcing this measure upon us, who are of a different opinion? Can it make any difference to them whether these toll-gates shall be erected under a law of the United States, or under State authority? Cannot the Legislature of Pennsylvania enact this bill into a law, as well as the Congress of the United States? Nobody will doubt their right. I trust no gentleman upon this floor will question the fidelity of that State, in complying with all her engagements. She has ever been true to every trust. If she should accept of the cession, as I have no doubt she ~~would~~ *will*, I will pledge myself that you shall never again hear of the road, unless it be that she has kept it in good repair: and that, under her care, it has answered every purpose for which it was intended.

“I know that some popular feeling has been excited against myself in that portion of Pennsylvania through which this road passes. I have been represented as one of its greatest enemies. I now take occasion thus publicly to deny this allegation. It is true that I cannot vote in favour of the passage of this bill, and thus, in my judgment, violate the oath which I have taken to support the Constitution of the United States. No man can expect this from me. But it is equally true that I have heretofore supported appropriations for the repair of this road: and,

should my amendment prevail, I shall vote in favor of the appropriation of the one hundred thousand dollars for that purpose, which is contained in this bill."

The last session of the 17th and the first of the 18th Congress terminating in May, 1824, present little matter of personal interest. It was the era of the second tariff after the war, the discussion of which, in one form or another, was long protracted. The Annals of Congress show that Mr. Buchanan took an active part even in matters of detail, supporting the measure generally, but never committing himself to the doctrine of extreme protection as advocated by his colleague, Mr. Tod, or Mr. Clay, then Speaker of the House, in the prime of his bright intelligence and the full glow of his wonderful personal popularity. Mr. Buchanan spoke at length on the Tariff three times, on the 7th of February, 1823, and the 23d of March and 9th of April, 1824. I am tempted, in view of recent events and as a new illustration of the oscillations of local opinion, to pause for a moment on the first and most elaborate of these speeches—that of February, 1823. I have said that the most extreme Anti-protectionist doctrines were then held in New England. We of the present day hardly dream of the extent to which they were carried. The representative of the city of Boston, in the 17th Congress, was Mr. Benjamin Gorham, a lawyer of great eminence—Mr. Webster's immediate predecessor. He opposed the new Tariff with great vehemence and ability in a speech which has not been preserved. To this Mr. Buchanan replied, and it is from this reply that we get some glimpses of the Massachusetts *animus* of those days:

"The gentleman from Massachusetts," says Mr. Buchanan, "has declared this bill to be an attempt, by one portion of the Union for its own peculiar advantage, to impose ruinous taxes on another. He has represented it as an effort to compel the agriculturalists of the South to pay tribute to the manufacturers of the North; he has proclaimed it to be a tyrannical measure. He has gone further, and boldly declared that the people of the South should resist such a law, and that they ought to resist it. The gentlemen from Massachusetts and Georgia (Mr. Tattnall)

have proclaimed it tyranny, and tyranny which ought to be resisted. I confess I never expected to hear inflammatory speeches of this kind within these walls which ought to be sacred to union; I never expected to hear the East counselling the South to resistance, that we might thus be deterred from prosecuting a measure of policy, urged upon us by the necessities of the country. It was by a combination between the cotton growers of the South and the manufacturers of the North, that the introduction of coarse cottons from abroad has been in effect prohibited by the high rate of duties. It is ungenerous, then, for the South and the East to sound the tocsin of alarm and resistance when we wish indirectly to benefit the agriculture and manufacturers of the Middle and Western States by the imposition of necessary duties. If I know myself," said Mr. Buchanan, with emphasis, "I am a politician neither of the East nor of the West, of the North nor of the South; I, therefore, shall forever avoid any expressions, the direct tendency of which must be to create sectional jealousies, sectional divisions, and, at length, disunion—that worst and last of all political calamities. I will never consent to adopt a general restrictive system, because the agricultural class of the community would then be left at the mercy of the manufacturers. The interest of the many would thus be sacrificed to promote the wealth of the few. The farmer in addition to the premium which he would be compelled to pay the manufacturer, would have also to sustain the expenses of the Government. If this bill proposed a system which leads to such abuses, it should not receive my support. If I could, for a single moment, believe in the language of the gentleman from Georgia—that this bill would compel the agricultural to bow down before the manufacturing interest—I should consider myself a traitor to my country in giving it any support."

## CHAPTER III.

1822 to 1826.

Presidential Election of 1824—The Second Instance of an Election by the House of Representatives—Attitude of the Federalists—Mr. Kittera—Chief Justice Gibson—Democratic Politicians support John Quincy Adams—Henry Clay—Mr. Buchanan's Conversation with General Jackson—Philip S. Markley—Election of Mr. Adams—Mr. Clay Secretary of State—Correspondence of General Jackson and Mr. Buchanan—Mr. Ingham—Jackson refers to Mr. Buchanan—Mr. Buchanan's Card in the Lancaster Intelligencer—Mr. Clay's Publication—Note on the Renewal of the Bargain and Sale Calumny in 1845 and 1856—Mr. Buchanan's Memorandum.

Returning from this digression, rendered necessary for the illustration of Mr. Buchanan's views on what were once great questions of controverted constitutional law, I find myself confronted by the political crisis of 1824-5, and the part which Mr. Buchanan had in it. His was a very small part in the drama of the times, though accidentally and through the misconceptions which heated times and the uncertain tempers of heated men generate, it swelled into undue importance. I can testify that, to the latest hour of his life, Mr. Buchanan was more sensitive on this point, because it seemed to involve his personal honour, than on any other in his long and eventful career. He was especially sensitive in this, that he was forced into an attitude of antagonism to one from whom he received kindness, and of whom, in some of his personal relations, he had formed, what later disclosures and the actual state of facts show, was an exaggerated opinion. I refer to General Jackson, who, as is easily demonstrable, in the rapidity of his judgment, strong feelings and disturbed recollections, did a great injustice. It was the era of hot and excited feelings, rash judgments, and bitter words, and none could more thoroughly share or more freely use them, than the two fierce adversaries of those days—Andrew Jackson and Henry Clay.

The political crisis was this. For the second, and we may fervently trust, the last time in the peaceful history of our country, the election of President of the United States devolved upon the House of Representatives. It had occurred in 1800,

and then nearly produced a revolution—indeed, would have done so, had a result kindred to that of 1825 occurred. That the second recurrence of the spasm in our political organization did not seem to threaten perils quite so great, may be attributed, under Providence, to the wider extent of the country and the diffusion of what may be termed an explosive popular sentiment. A narrow and compact organization, such as there was in 1800, was far more liable to disruption from internal causes.

Let us briefly trace the course of events. I have elsewhere said that on the accession of Mr. Monroe to the Presidency, the ancient lines of party had begun to waver and be blurred. The canvass of 1824 obliterated them. We were not, as Mr. Jefferson said, in 1800, ‘all Federalists,’ ‘all Republicans,’ but all were trying to be Republicans or Democrats, and none cared to be Federalists, though no one was ashamed of having been one. About this time a leading Federalist of Philadelphia—the last one who, according to my recollection, was ever a Federal candidate for Congress, wrote to Mr. Buchanan: ‘The Federalists have for many years had the management of the city corporation. With a view to keep it, they will continue next year, and I hope for the last time, to keep up the odious distinctions of Federalists and Democrats.’\* So breathed its last, the ancient Federal party, in the heat and glare of what may be termed the Jackson excitement, to be succeeded ultimately, (it too transitory and perishable) by Mr. Clay’s new creation—the Whigs. No one of the candidates of 1824 claimed to be other than a Democrat. Mr. Crawford and Mr. Clay were technically so. Mr. Adams had become so by adhesion in 1808 and was perhaps more obnoxious to ancient Federalism than any of his competitors, and there was something almost ludicrous, so far as Pennsylvania was concerned, in the efforts of his friends to make him especially the Democratic candidate. In Philadelphia, John Binns, an Irish rebel fugitive of 1798, editor of the *Democratic Press* and a bitter war partizan of 1814, and William Jones, Mr. Madison’s unlucky Secretary of the Navy at the capture of Washington, who burned unfinished vessels on the stocks for fear the enemy should launch them,

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\* Thomas Kittera, of Philadelphia.

were active partisans. This desire to be considered purely "Democratic" had great influence in the organization of Mr. Adams' Cabinet. The Federalists of the Middle States generally supported General Jackson. Of this category in those ancient days were Mr. Buchanan and Chief Justice Taney, Joseph Hemphill and John B. Gibson, and of younger men, Stephen Duncan and William M. Meredith and John M. Read. The following letter from one of the Federalists of the past is quite characteristic, and shows the temper of the times in which this political transition was in progress. Chief Justice Gibson soon became a Democrat *par excellence*.

JUDGE GIBSON TO MR. BUCHANAN.

PHILADELPHIA, Jan. 15th, 1824.

DEAR SIR:—At the annual communication of the Grand Lodge, I appointed you a Deputy Grand Master for the district composed of the counties of Lancaster, York and Lebanon, and have directed the Grand Secretary to forward you the warrant, which you will receive in a few days. This is the only mark of esteem in the way of appointment to office which I shall ever be in a condition to testify to you, unless, indeed, the people and I should both change our mind—a matter not to be hoped for, as I can in this at least speak for myself. We look with great interest to the movements of you great folks at Washington. Heaven knows what will be the upshot of the matter in this State, but it seems to me that Jackson is carrying it away from all the rest. Next to John C. Calhoun, he is my man—but I doubt that neither will come out winner. I have been here eight weeks, and shall go home to-morrow. The bill respecting our court will hardly pass, the members being actuated by the probability, or want of it, of the appointment of their respective friends.

Very truly, your friend,

JOHN B. GIBSON.

The result of the canvass in which ancient and contemporaneous prejudices and opinions were so strangely mixed and at variance, was, as is well known, a failure of the popular

choice—the transfer of the anxiety, and asperity, and intrigue of the contest to the House of Representatives, and a train of vexatious and mischievous and discreditable consequences, the traces of which continued within the memory of living men. Chief of those was the political ruin as a Presidential aspirant, of one who had more elements of personal popularity than any man our country has produced. The unhappy coalition—using the word in no offensive sense—of Mr. Clay with Mr. Adams, in 1824, and his acceptance of office afterwards, was his ruin. His motives were, I doubt not, patriotic and honest. Mr. Buchanan thus writes: “At this period there were 131 electoral votes required for an election, the aggregate being 261. Of these, General Jackson received 99; Mr. Adams, 84; Mr. Crawford, 41; and Mr. Clay, 37. Neither having a majority of the whole number, the election, among the three highest (Mr. Clay being excluded), devolved, under the Constitution, upon the House of Representatives, the representation from each State having one vote. There were then 24 States in the Union, and in order to elect any one of the three, the votes of thirteen States were required.

As soon as it was ascertained that Mr. Clay could not be a candidate before the House, speculations prevailed among the members, and indeed, everywhere throughout the country, as to which of the three candidates would receive his support and that of the members who were his friends. It was not doubted that his influence cast into the scale of either General Jackson or Mr. Adams, would secure the votes of a sufficient number of States to elect the one or the other. Mr. Crawford appeared to be out of the question, not only because he had received less than one-half the number of electoral votes which had been given either to General Jackson or Mr. Adams, but because of a paralytic affliction which it was believed would render him incapable of performing the high duties of the office. After it became known in Washington that joint resolutions in the Legislature of Kentucky requesting their members in Congress “to vote for General Jackson as President of the United States” had passed the House of Representatives of that State, on the 31st of December, 1824, by the large majority of 73 to 11, no doubt was entertained for a season that Mr. Clay and his col-



leagues in the House would conform their action to the will of their constituents. Indeed, such was the commanding influence of Mr. Clay, that the election of General Jackson was for a few days generally considered secure. The second of these Resolutions was emphatic, and is as follows: "Resolved, As the opinion of the Legislature, that General Andrew Jackson is the second choice of the State of Kentucky for the next President of the United States: that a very large majority of this State prefers General Jackson to Mr. Adams or Mr. Crawford, and that the members of the House of Representatives in the Congress of the United States will, by complying with the request herein signified, faithfully and truly represent the feelings and wishes of the good people of Kentucky." These Resolutions afterwards passed the Senate of Kentucky by a vote of 18 to 12.

General Jackson had received the unanimous electoral vote of eight States: New Jersey, Pennsylvania, North Carolina, South Carolina, Tennessee, Mississippi, Indiana and Alabama; and Mr. Adams had received the unanimous electoral vote of the six New England States. On the assumption that the representation from these States in the House would conform to the will of the people in their respective States, and vote as they had voted, five additional States would be sufficient to elect General Jackson, whilst it would require seven to elect Mr. Adams."

Mr. Buchanan was at the time relatively—indeed, actually—a young member of the House, in the beginning of his fourth session. "He had never personally known either General Jackson or Mr. Clay until after the opening of this Congress, when the one took his seat as a Senator from Tennessee, and the other was elected Speaker of the House. Having great confidence in the sound political principles and exalted character of General Jackson, and greatly preferring him to any of the other candidates, he had taken a very active part before the people of Pennsylvania in securing for him their electoral vote. Still, he was at the same time a warm admirer of Mr. Clay.

As the election in the House approached, speculations became more and more anxious among the members as to who would compose the Cabinet of General Jackson or Mr. Adams. In-

deed, nothing could be more natural, because the character of its members would afford a sure index of the policy of the future administration. These speculations were the more intense in regard to who should be the future Secretary of State. At this period a rumour was circulated that General Jackson had declared, in case of his election, that he would continue Mr. Adams in the office of Secretary of State, then held by him under Mr. Monroe's administration. The reason which rendered this probable was their known friendly relation and the noble defence which Mr. Adams had made of the General's conduct in the Seminole War.

Whilst this rumour prevailed to a considerable extent in Washington, it gained still greater credit at the capital of Pennsylvania. This was naturally exceedingly distasteful to the Democracy of Pennsylvania, (the element of ancient Federal antipathy somewhat operating,) and whether with or without cause, Mr. Adams was at the time peculiarly obnoxious to a very large majority of the people of that State. They feared that if the General should announce his purpose in advance to continue Mr. Adams—then his chief competitor before the House—in the office of Secretary of State, it, for obvious reasons, would greatly impair his own chances for success. Besides, considering Mr. Adams' well known political principles, as a constitutional latitudinarian, his appointment would probably defeat the objects both of a public and personal nature, which the Democracy of Pennsylvania had sought to accomplish, in giving the General their enthusiastic and triumphant support at the recent electoral election. To counteract the injurious effect of this rumour, Mr. Buchanan deemed it advisable to ascertain from General Jackson whether there was any foundation for the rumour. Before doing so he consulted the Chairman of the State Central Committee at Harrisburg (the Hon. Molton C. Rogers, then Secretary of State, and since Judge of the Supreme Court), and, with his approbation and advice, Mr. Buchanan resolved that he would respectfully inquire of General Jackson, whether he had ever declared that, if elected President, he would appoint Mr. Adams Secretary of State. He first applied to Major John H. Eaton, the General's colleague

from Tennessee in the Senate, and his confidential friend and biographer, to make the inquiry, but that gentleman having declined the office, he determined to do so himself. An occasion soon thereafter offered to carry his purpose into effect. Calling at the General's lodgings in "the Seven Buildings," Mr. Buchanan accompanied him, on his own invitation, in a walk as far as the War Department, where the General had to call on public business. After a suitable introduction and reference to the rumour afloat, Mr. Buchanan requested him to state whether he had ever declared that in case he should be elected President he would appoint Mr. Adams Secretary of State. To this he replied by saying that whilst he thought well of Mr. Adams, he had never said or intimated that he would or would not make this appointment. With this answer, Mr. Buchanan was entirely satisfied, and so expressed himself. The object of his mission was thus accomplished. The General's answer was positive and emphatic. It made a deep and lasting impression on his only auditor, who requested permission to repeat it, and he gave it without reserve."

Unluckily, though with no fault of Mr. Buchanan, the conversation did not end here. Washington was the seat of intrigue and of the gossip of which intrigue is the main staple. Every man in Congress, and many out of Congress, had his favourite scheme for reconciling on any terms, honest or dishonest, direct or indirect, this great political antagonism. The pivot on which they all turned was the Secretaryship of State in the new administration. Among them, probably as busy as any other, was a representative from Pennsylvania, Mr. Philip S. Markley. He was, unless tradition grievously wrongs his memory, a busy man—a man of intrigue. Though representing a Democratic district—perhaps because he did represent a Democratic district—he was the earnest advocate of Mr. Clay for the Presidency. He, too, it seems, had heard of the rumour that there was a chance of Jackson appointing Mr. Adams, and was more charmed at it even than Mr. Buchanan, because of his positive predilection for Mr. Clay. In conversation, he had urged Mr. Buchanan to see General Jackson, and, according to his own statement, expressed his wish that Mr.

Clay should be the man, or rather that General Jackson should be persuaded to be absolutely silent; "for then," said he, "the friends of Mr. Clay would be placed upon the same footing with the friends of Mr. Adams, and fight them with their own weapons. Some portion of what Markley, Mr. Buchanan as an item of current news, mentioned to General Jackson just as they were parting—and out of this gossip all the mischief and trouble arose.

"When I parted from the General," says Mr. Buchanan, in a memorandum furnished to me, "I felt conscious that I had done my duty, and no more than my duty, towards him and my party, as one of his most ardent and consistent political friends." Indeed, the idea did not enter my imagination at the time that the General could have afterwards inferred from anything I said, that I had approached him as the emissary of Mr. Clay, to propose to elect him President, provided that he (the General) would agree to appoint him Secretary of State. It is but justice to observe that the General stated, in his subsequent publication, that I did not represent myself to be the friend and agent of Mr. Clay. Surely, if Mr. Clay had desired or intended to make such a bargain, he would have selected as his agent an old political and personal friend." "Events passed on," Mr. Buchanan continues, "then came the letter of Mr. George Kremer to the *Columbian Observer*, of the 25th of January, 1825, charging the existence of a corrupt bargain between Messrs. Adams and Clay: his avowal of its authorship, the appeal of Mr. Clay to the House of Representatives, against the charges it contained, the report of the Committee on the subject, and on the same day the election of Mr. Adams as President of the United States, by the House of Representatives: Mr. Adams receiving the vote of thirteen States, including that of Kentucky, General Jackson of seven States, and Mr. Crawford of four States. During all the debates and proceedings of the House, on Mr. Clay's appeal against the charges of Mr. Kremer it was never intimated to me, in the most distant manner, by any human being, that I was expected to be a witness to sustain this charge, or had any connection with the subject more than any other member of the House."

“The conduct of General Jackson, after his defeat, was admirable. He bore it with so much dignity, magnanimity, and perfect self-control as to elicit strong commendations, even from his political opponents. At President Monroe’s levee, on the evening of the election, where he and Mr. Adams were both present, it was repeatedly remarked, from the courtesy and kindness of his manner and conversation, contrasted with the coldness and reserve of Mr. Adams, that a stranger might have inferred he had been the successful, and Mr. Adams the defeated, candidate.”

On what terms General Jackson and Mr. Buchanan parted at Washington, in the spring of 1825, will be apparent from the following letters, never before in print. They are, in the order of time, rather in advance of my narrative, but are appropriate here as relating to the incidents of the election of 1825:

MR. BUCHANAN TO GENERAL JACKSON.

*May 29, 1825.*

MY DEAR GENERAL:—I write this letter from Mercersburg, being now on a visit to my mother and the family. I have no news of any importance to communicate, but both inclination and duty conspire to induce me to trouble you occasionally with a few lines, whilst you must be gratefully remembered by every American citizen who feels an interest in the character of his country’s glory.

You have imposed additional obligation upon me by the uniform kindness and courtesy with which you have honoured me.

In Pennsylvania, amongst a vast majority of the people, there is but one sentiment concerning the late Presidential election. Although they submit patiently, as is their duty, to the legally constituted powers, yet there is a fixed and determined resolution to change them as soon as they have the constitutional power to do so. In my opinion, your popularity in Pennsylvania is now more firmly established than ever. Many persons who heretofore supported you did it cheerfully from a sense of gratitude, and because they thought it would be disgraceful to the

people not to elevate that candidate to the Presidential Chair, who had been so great a benefactor of the country. The slanders which had been so industriously circulated against your character had, nevertheless, in some degree affected their minds, although they never doubted either your ability or patriotism, yet they expressed fears concerning your temper. These have been all dissipated by the mild prudence and dignity of your conduct last winter, before and after the Presidential election. The majority is so immense in your favor that there is little or no newspaper discussion on the subject. I most sincerely and fervently trust and hope that the Almighty will preserve your health until the period shall again arrive when the sovereign people shall have the power of electing a President.

There never was a weaker attempt made than that to conciliate the good opinion of Pennsylvania in favor of the administration by the appointment of Mr. Rush, although no appointment could have produced the effect desired: yet, if the President had selected Mr. Sergeant, he would have chosen a man who had been his early and consistent friend, and one whose character for talents and integrity stands high with all parties in this State. Mr. Rush was a candidate for the office of elector on the Crawford ticket. I verily believe his appointment will not procure for the administration, out of the city of Philadelphia, twenty new friends throughout the State. In that city their additional strength is limited to John Binns and a few of his devoted followers.\*

I hope Mrs. Jackson, ere this, has been restored to her accustomed health. When I left her, I felt some apprehensions in relation to the issue of her disease. Please to present to her my kindest and best respects, and believe me to be ever your sincere friend,

JAMES BUCHANAN.

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\* Mr. Adams' attempt to Democratize his administration was almost grotesque, nor less so was the experiment on ancient Federalism in sending Mr. Rufus King as minister to England. He was seventy years of age, in feeble health; remained abroad a few months, and returned to die. The administration then appointed Mr. Gallatin, who, though of much less impaired powers, was of a past generation and age.

GENERAL JACKSON TO MR. BUCHANAN.

HERMITAGE, *June 25, 1825.*

DEAR SIR:—I have the pleasure to acknowledge the receipt of your kind letter of the 29th ult., which has just reached me.

That respect which I formed for your character on our first acquaintance increased with our friendly intercourse, and to you was only extended what I viewed a debt due to your merit as a gentleman of intelligence and urbanity. It is, therefore, a source of much gratification to me to receive a letter from you, detailing the friendly feelings of the citizens of Pennsylvania toward me.

It is gratifying to hear, through you, that the confidence and support which the majority of the citizens of Pennsylvania expressed for me, by their vote on the Presidential question, will not be withdrawn by the artful and insidious efforts of my enemies. This is another evidence of the firmness and indulgence of the freemen of Pennsylvania. This organized plan of calumny and slander, levelled against me by the unprincipled and wicked, will not owe its defeat to any effort of mine, unless it be that which always attends truth and a conscious rectitude of conduct, when submitted to an untrammelled and honest public. The continued good opinion, therefore, of my fellow citizens of Pennsylvania, lays me under additional obligations, whilst it connects my name with another guaranty of the wisdom of our government—I mean in furnishing to posterity another example of the weakness of demagogues when endeavoring to advance to power upon the destruction of innocence.

It is much to the honour of the good citizens of Pennsylvania that they calmly submit to the legally constituted power; this all good citizens will do, who love a government of laws, although they show much disapprobation at the means by which that power was obtained, and are determined to oppose the men who obtained power by what they believe illicit means. The great constitutional corrective in the hands of the people against usurpation of power, or corruption by their agents, is the right of suffrage; and this, when used with calmness and deliberation, will prove strong enough. It will

perpetuate their liberties and rights, and will compel their representatives to discharge their duties with an eye single to the public interest, for whose security and advancement government is constituted.

I have not yet been so fortunate as to fall in with Mr. Frazer, although I have made inquiry for him. Should I meet with him be assured it will be a gratification to me to extend to him those attentions due to any of your friends.

I regret very much that the bad health of Mrs. J. prevented me from passing through your hospitable town. I assure you, could we have done so, it would have afforded Mrs. J. and myself much pleasure. Mrs. J.'s health is perfectly restored. So soon as I got her to breathe the mountain air of Pennsylvania, she mended by the hour.

We are also blessed, in this section of the country, with the promise of fine crops. Our cotton promises a good crop. This is six days earlier than ever known in this section of country.

Mrs. J. joins me in kind salutations to you, with our best wishes for your happiness. Your friend.

ANDREW JACKSON.

GENERAL JACKSON TO MR. BUCHANAN.

HERMITAGE. *April 8th, 1826.*

DEAR SIR:—I received, by due course of mail, your friendly letter of the 8th ult., transmitting a resolution passed by the Convention at Harrisburg, in which it is declared "that their confidence in me is unimpaired." This resolution adds another to the many obligations which I owe to the Republicans of Pennsylvania, and which shall be cherished as long as the feelings of gratitude and the sentiments of patriotism have a place in my heart. What greater consolation could be offered to my declining years than the reflection that my public conduct, notwithstanding the difficulties through which it has led me, can still be honored with testimonials so distinguished as this from the enlightened and patriotic Pennsylvanians: I desire no greater.



I have noted your remarks relative to Mr. Molton C. Rogers—every information I have received concerning him corroborates your account of him, and I have no doubt he fully merits the high character he sustains.

We have received the result of the Panama question in the Senate. From the whole view of the subject I have been compelled to believe that it is a hasty, unadvised measure, calculated to involve us in difficulties, perhaps war, without receiving in return any real benefit. The maxim that it is easier to avoid difficulties than to remove them when they have reached us, is too old not to be true; but perhaps this and many other good sayings, are becoming inapplicable in the present stage of our public measures which seem to be so far removed from our (*illegible*) that even the language of Washington must be transposed in order to be reconciled to the councils of wisdom. I hope I may be wrong—it is my sincere wish that this Panama movement may advance the happiness and glory of the country—but if it be not a commitment of our neutrality with Spain, and indirectly with other powers, as, for example, Brazil, I have misconstrued very much the signification of the anathemas which have been pronounced upon the Assembly at Verona, as well as the true sense of the principles which form international law. Let the primary interests of Europe be what they may, or let our situation vary as far as you please from that which we occupied when the immortal Washington retired from the Councils of his country, I cannot see, for my part, how it follows that the primary interests of the United States will be safer in the hands of others, than in her own: or, in other words, that it can ever become necessary to form treaties, alliances, or any connections with the Governments of South America, which may infringe upon the principles of equality among nations which is the basis of their independence, as well as all their international rights. The doctrine of Washington is as applicable to the present, as to the then primary interests of Europe, so far as our own peace, and happiness are concerned, and I have no hesitation in saying, so far as the true interests of South America are concerned—maugre the discovery of Mr. Adams, that if Washington was now with us, he would unite

with him in sending this mission to Panama. No one feels more for the cause of the South Americans than I do, and if the proper time had arrived, I trust that none would more willingly march to their defence. But there is a wide difference between relieving them from a combination of league powers, and aiding them in forming a confederation which can do no good, as far as I am apprised of its objects, and which we all know, let its objects be the best, will contain evil tendencies.

Believe me to be, with great respect,

Your obedient servant,

ANDREW JACKSON.

GENERAL JACKSON TO MR. BUCHANAN.

HERMITAGE, *Oct. 15th*, 1826.

MY DEAR SIR:—I was very much gratified on the receipt of your letter of the 21st ult., which reached me yesterday, and thank you for the information it contains. I want language to express the gratitude I feel for the unsolicited, but generous support of the great Republican State of Pennsylvania—did I lack a stimulus to exert all my faculties to promote the best interests of my country, this alone would be sufficient. Who could abandon the path of Republican virtue when thus supported by the voluntary approbation of the enlightened and virtuous citizens of such a State as Pennsylvania? I answer, none whose minds have been matured in the schools of virtue, religion and morality.

I am happy to learn that Mr. Cheves has become your neighbour and a citizen—he is a great blessing to any society—he has a well stored mind of useful information, which he will employ to the benefit of his country and the happiness of the society to which he belongs. Please present me to him respectfully.

I regret to learn that the drought has visited your section of country, and your crops are not abundant; still, so long as we have a supply of breadstuffs and other substantials, we ought to be thankful and happy. When we contrast our situation with Ireland and England, we ought to view ourselves as the chosen people of God who has given us such a happy government of

laws and placed us in such a climate and fertile soil. We ought not only to be thankful, but we ought to cherish and foster this heavenly boon with vestal vigilance.

Mrs. J. joins me in kind salutations and respects to you.

I am, very respectfully, your friend,

ANDREW JACKSON.

GENERAL JACKSON TO MR. BUCHANAN.

HERMITAGE, Jan. 29th, 1827.

DEAR SIR:—Your favour of the 19th has been before me for some time, but observing in the papers the obituary notice of your brother, whose illness took you from the city, I have delayed acknowledging its receipt until advised of your return. I pray you to accept my sincere condolence for the serious loss you have sustained in the death of your brother.

I suspect the Administration begins to perceive the necessity of public confidence, without which it is an arduous undertaking to execute the solemn duties confided by the Constitution to the Chief Magistrate. The Panama "bubble" and the loss of the trade with the British West Indies are the result of this defect in the Cabinet, for it cannot be supposed that such reputed diplomatists would have committed errors so obvious, had not some influence stronger than the public good operated upon their minds. My hope, however, is that the wisdom of Congress may remedy these blunders, and that my friends the "factions opposition" may, in your own language, never forget the support due to the country.

I had predicted, from the movements of (*illegible*) and Rochester, that the Panama subject was done with, and that the charge of "factions opposition" would be hushed, but it appears I was mistaken. ——— is to be the theatre on which these mighty projects are to be unfolded. Alas! what folly and weakness!

Present me to my friend Mr. Kremer, and believe me,

Very respectfully, your obedient servant,

ANDREW JACKSON.

The ink was scarcely dry on these letters of confidence and friendship when, in the summer of 1827, the public was startled

by the publication of a letter from General Jackson to Mr. Carter Beverley, of Virginia, stating that a leading member of Congress—and though no name was given, the description pointed directly to Mr. Buchanan—had, as the agent or emissary or confidential friend of Mr. Clay, suggested to the General a plan by which Mr. Adams was to be defeated and in return, Mr. Clay was to be Secretary of State and that this was, with emphasis, declined. On the appearance of this letter Mr. Buchanan wrote to a friend:

TO SAMUEL D. INGHAM.

LANCASTER, *July 12th*, 1827.

DEAR SIR:—I received yours yesterday evening, and hasten to give it an immediate answer. With you, I regret the publication of Gen. Jackson's letter to Mr. Beverley. It may do harm, but cannot do good. The conversation which I held with the General will not sustain his letter: although it may furnish a sufficient reason for his misapprehension. My single purpose was to ascertain from him whether he had ever declared he would appoint Mr. Adams Secretary of State in case he were elected President. As to the propriety and policy of propounding this question to him, I had reflected much, and had taken the advice of a distinguished Jackson man, then high in office in Pennsylvania. I had no doubt at the time, that my question, if answered at all, would be answered in the negative; but I wished it to come from himself that he stood uncommitted upon this subject.

In my interview with the General (which, by-the-by, was in the street), I stated the particulars of a conversation between Philip S. Markley and myself, as one reason why he should answer the question which I had propounded. Out of my repetition of this conversation the mistake must have arisen. This conversation would be one link in the chain of testimony; but of itself it is altogether incomplete.

How General Jackson could have believed I came to him as an emissary from Mr. Clay or his friends to make a corrupt bargain with him in their behalf, I am at a loss to determine. He could not have received this impression until after Mr. Clay

and his friends had actually elected Adams President, and Adams had appointed Clay Secretary of State. Although I continued to be upon terms of the strictest intimacy with Gen. Jackson whilst he continued at Washington and have corresponded with him occasionally since, he has never adverted to the subject. From the terms of his letter to me, I never could have suspected that he for a moment supposed me capable of becoming the agent in such a negotiation. The idea that such was his impression never once flitted across my mind.

When regularly called upon, I need not tell you that I shall speak the truth. If the matter be properly managed it will not injure Gen. Jackson; but I can readily conceive that such a course may be taken in relation to it by some of our friends as will materially injure his prospects.

From your friend,

JAMES BUCHANAN.

Mr. Clay having publicly disclaimed all agency in this matter, General Jackson was forced to be more explicit, and in July, 1827, wrote thus to Mr. Buchanan:

HERMITAGE, *July 15th*, 1827.

DEAR SIR:—You will see from the enclosed publication of Mr. Clay repelling the statement made by me respecting the propositions said to have been made by his friends to mine and to me, and intended to operate upon the last election for President, that it becomes necessary for the public to be put in possession of the facts. In doing this, you are aware of the position which you occupy, and which, I trust, you will sustain when properly called on. Ever since the publication, and the inquiry before the House of Representatives in January and February, 1825, questions have been propounded from various sources calculated to draw from me the information I had upon that unpleasant subject. Many, no doubt, with sinister views, placing me in selfish connection with the facts, from my accustomed silence, have sought to fortify the character of Mr. Clay. But in a number of cases, where inquiry seemed to be prompted by

a frank and generous desire to obtain the truth, I felt myself bound to answer in a corresponding spirit; and, accordingly, the statement made by you to me has been on several occasions repeated, as it was to Mr. Beverley who visited me at my house where he found a number of his friends and relatives. Having remained all night, in the morning conversing on politics, the question so often put to me before was asked by Mr. Beverley. It was answered. Mr. B. went to Nashville, and wrote to his friend in North Carolina, who, it appears, published his letter. On the 15th of May last, he wrote me from Louisville, requesting to be informed whether the statement made by him was correct, and observing that his letter was not intended for publication. Not having seen the letter, as published, there was no safe alternative for me but that adopted, of making the statement, as you will see in the enclosed paper.

I shall now, in reply to Mr. Clay's appeal, give my authority, accompanied by the statement you made to Major John H. Eaton and to Mr. Kremer, and leave Mr. Clay to his further inquiries. He cannot be indulged by me in a paper war or newspaper discussion. Had his friends not voted out Mr. McDuffie's resolutions, when Mr. Clay threw himself upon the House, the truth or falsehood of these statements would have been made manifest, and the public mind now at rest upon this subject. That they did, will appear, reference being had to the National Journal, of the 5th of February, 1825. You will recollect that Mr. McDuffie moved to intrust the Committee to inquire whether the friends of Mr. Clay had hinted that they would fight for those who paid best, and whether overtures were said to have been made by the friends of Mr. Clay, offering him the appointment of Secretary of State for his influence, and to elect Mr. Adams, and whether his friends gave this information to the friends of General Jackson and hinted that if the friends of Jackson would close with them, &c., &c. giving the Committee the power to examine on oath.

I have no doubt, when properly called on, you will come forth and offer me the statement made to Major Eaton, then to Mr. Kremer, and then to me, and give the names of the friends of Mr. Clay who made it to you.

I will thank you to acknowledge the receipt of this letter on its reaching you.

I have the honour to be, with great respect,

Your most obedient servant,

ANDREW JACKSON.

MR. BUCHANAN TO MR. INGHAM.

LANCASTER, *August 9th*, 1827.

DEAR SIR:—Ere this can reach you, you will have seen General Jackson's letter to the public, in which he has given up my name. It will at once strike you to be a most extraordinary production so far as I am concerned. My statement will appear in the Lancaster Journal to-morrow, which I shall send you. I have not suffered my feelings to get the better of my judgment, but have stated the truth in a calm and temperate manner. If General Jackson and our editors shall act with discretion, the storm may blow over without injuring. Should they, on the contrary, force me to the wall and make it absolutely necessary for the preservation of my own character to defend myself, I know not what may be the consequence.

I have stated the conversation between Markley and myself in as strong terms as the truth would justify, but no stronger. It is in your power to do much to give this matter a proper direction. Indeed, I would suggest to you the propriety of an immediate visit to Philadelphia for that purpose. My friends here are very indignant, but I believe I can keep them right.

You will perceive that General Jackson has cited Mr. Eaton as a witness. I have treated this part of his letter with great mildness. In a letter to me, which I received day before yesterday, the General intimates that George Kremer would confirm his statement. This letter is an imprudent, and in my opinion, an improper one. It is well it has fallen into the hands of a political friend.

You will discover that your knowledge concerning my conversation with General Jackson was nearly correct. The friend who wrote me the letter of the 27th December, 1824, referred to in my communication, was Judge Rogers, then Secretary of State.

From your sincere friend,

JAMES BUCHANAN.

MR. BUCHANAN TO GENERAL JACKSON.

LANCASTER, *August 10th.* 1827.

DEAR SIR:—I received your letter of the 15th ultimo on Tuesday last. Your address to the public also reached me upon the same day, in the Cincinnati Advertiser. This communication made it necessary for me to publish in detail the conversation which I held with you concerning the Presidential election on the 30th of December, 1824. I shall enclose to you in this letter that part of the Lancaster Journal containing it. I regret, beyond expression, that you believed me to be an emissary from Mr. Clay, since some time before the first Harrisburg Convention which nominated you, I have ever been your ardent, decided, and perhaps without vanity I may say, your efficient friend. Every person in this part of the State of Pennsylvania is well acquainted with the fact. It is, therefore, to me a matter of the deepest regret that you should have supposed me to be the “friend of Mr. Clay.” Had I ever entertained a suspicion that such was your belief, I should have immediately corrected your impression.

I shall annex to this letter a copy of that which I wrote to Duff Green on the 16th of October last. The person whom I consulted in Pennsylvania was the present Judge Rogers, of the Supreme Court—then the Secretary of State of this Commonwealth.

The friends of the Administration are making great efforts in Pennsylvania. We have been busily engaged during the summer in counteracting them. Success has, I think, hitherto attended our efforts. I do not fear the vote of the State, although it is believed every member of the State administration except Gen. Bernard is hostile to your election. Your security will be in the gratitude and in the hearts of the people.

Please to present my best respects to Mrs. Jackson, and believe me to be,

Very respectfully, your friend,

JAMES BUCHANAN.

On the 8th of August, 1827, Mr. Buchanan published a Card in the Lancaster Journal, embodying the recollections which I have given, and which it is not necessary to reproduce, and



after a brief but inconclusive reply from Mr. Markley, the matter passed out of the public mind. Later in the year, Mr. Clay published an elaborate vindication of his conduct, in the course of which he thus refers to Mr. Buchanan :

“ In General Jackson’s letter to Mr. Beverley, of the 6th of June last, he admits that in inferring my privity to the proposition which he describes as borne by Mr. Buchanan, he may have done me injustice : and, in his address to the public of the 18th of July last, giving up the name of this gentleman, as his only witness, he repeats that he possibly may have done me injustice in assuming my authority for that proposition. He even deigns to honour me with a declaration of the pleasure which he will experience if I should be able to acquit myself ! Mr. Buchanan has been heard by the public : and I feel justified in asserting that the first impression of the whole nation was, as it is yet that of every intelligent mind unbiased by party prejudice, that his testimony fully exonerated me, and demonstrated that Gen. Jackson, to say no more, had greatly misconceived the purport of the interview between them. And further : that so far as anything improper was disclosed by Mr. Buchanan touching the late Presidential election, it affected General Jackson and his friends exclusively. He having manifestly injured me, speculation was busy, when Mr. Buchanan’s statement appeared, as to the course which the General would pursue, after his gratuitous expression of sympathy with me. There were not wanting many persons who believed that his magnanimity would immediately prompt him publicly to retract his charge, and to repair the wrong which he had done me. I did not participate in that just expectation, and therefore felt no disappointment that it was not realized. Whatever other merits he may possess, I have not found among them, in the course of my relations with him, that of forbearing to indulge vindictive passions. His silent contemplation of, if not his positive acquiescence in, the most extraordinary interpretation of Mr. Buchanan’s statement, that ever was given to human language, has not surprised me. If it had been possible for him to render me an act of spontaneous justice,

by a frank and manly avowal of his error, the testimony now submitted to the public might have been unnecessary.”\*

\* The reader who desires to see what may be described as the other side of this controversy, will find it in Colton's *Life of Clay*. The spirit of this book is certainly not a good one. It is vehement and denunciatory—the more to be regretted as it is evidently inspired by Mr. Clay himself. He even went so far as to furnish and make the subject of unjust comment the details of a private and familiar interview between himself and Mr. Buchanan. It has not the least historical value, and no one at this distance of time can read it without regret. In the latter part of his life, Mr. Buchanan always spoke of Mr. Clay with respect. He left a memorandum as to the Colton anecdote, which I do not think it worth while to reproduce. In 1840, Mr. Clay wrote from Ashland to Mr. Buchanan a letter evincing high personal regard (it now lies before me), and in 1856, his son, James B. Clay, addressing a meeting at Lancaster, said :

“It may seem strange to you that the son of Henry Clay should stand here upon the door steps of James Buchanan, his guest, after all you have heard of the unfair treatment which his father received from him ; but I am not afraid to stand here. They have charged upon Mr. Buchanan that he attempted to ruin the character of my father. Fellow-citizens, I do not believe it, and I do not believe it because my father told me that he did not. [Great applause.] I tell you that, while it has often been the fate of great statesmen to be killed by their enemies, that it is also sometimes been their fate to be killed by their friends, and my father suffered the latter fate. Henry Clay was uninjured in 1825, but he received his death at the hands of his friends, in Philadelphia, in 1848. And yet the opponents of the Democratic party talk about bargain and corruption in the year 1825. Such charges cannot influence me, for I do not believe them. I know that they are not true. [Renewed applause.] And I know further, that they are only addressed to passion and prejudice and not to reason and patriotism.”

President Buchanan, in 1857, offered the Mission to Prussia to Mr. James B. Clay, who gratefully declined it.

## CHAPTER IV.

1825 to 1828.

Opposition to the Adams Administration—Constitution of both Houses of Congress—Bill for the Relief of Revolutionary Officers—Mr. Buchanan's Speech—Mr. Everett's Mistake—Defeat of the Measure—The Panama Mission—Debate in the House—Mr. Buchanan on the Treaty Power—Everett's Pro-Slavery Sympathy—Mr. Ingham's Attack on Mr. Webster—Mr. McDuffie—Failure of the Panama Mission—Meeting of Congress in 1827—Chilton's Retrenchment Resolutions—Indiscretion of Administration Leaders—John Bell and Edward Livingston—Mr. Ingham and Mr. Pearce—John Randolph's Great Speech—Speeches of Mr. Sergeant and Mr. Buchanan—Diplomatic Costume.

No sooner was Mr. Adams inaugurated and Mr. Clay accepted the place of Secretary of State than a most formidable parliamentary opposition to the Administration was organized.\* The

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\* In the summer of 1825 there was an abortive effort for a prospective Presidential nomination, which has faded out of memory, and of which I happen to have some personal knowledge. De Witt Clinton, then Governor of the State of New York, was in such an attitude before the people, as in the estimation of his friends, gave him a fair chance for the nomination in 1828, in case General Jackson were not pressed. In 1825 he was invited to be present and take part in the opening, at the Licking summit, of the Ohio Canal, and on his journey I, then a youth of nineteen, accompanied him. It was a perfect ovation from the time he put his foot on the soil of Ohio at Cleveland, till he left it at Steubenville. He was received everywhere with enthusiasm, and apparently, his friends had every reason to be gratified. And yet, it was a failure. Mr. Clinton, though of noble and prepossessing appearance, was reserved and austere in his casual intercourse, and what was fatal to him in the fluent, speech-making West, utterly unable to address the people *ex tempore*, or make the least reply to an address of welcome, without reading it. Accident, too, put him in painful contrast with others, such as Mr. Clay, General Harrison and Governor Corwin, who were eminent as popular speakers. On reaching the neighbourhood of Cincinnati, Governor Clinton was waited upon by a committee of friends of General Jackson with the, to them, alarming intelligence that Mr. Clay, just appointed Secretary of State, was in the city and about to receive the honour of a public dinner, and that it was quite important he and Mr. Clinton should be kept apart. This was thoroughly understood. Governor Clinton, however, had not been half an hour surrounded by his friends at Mack's Hotel, when, to the infinite dis-

friends of Mr. Calhoun and General Jackson, whom the final result showed to be by no means congenial, united in it. It was perhaps the most powerful ever known in our Congressional history, and was mainly developed in the House of Representatives where the younger men of the day were to be found. The Senate was composed of older men than either before or since. Silsbee, Robbins, Dickinson, Samuel Smith, of Maryland (a man of the first Revolution); William Smith, of South Carolina; Nathaniel Macon; Rowan, of Kentucky, and Hugh L. White may be enumerated among these fathers of the Senate, and were not, of course, the men for active and acrimonious debate, such as parliamentary opposition and defence required. Then, too, though there was a decided opposition party in the Senate, marshalled by Van Buren, Woodbury, Tazewell, Hayne, Berrien and Benton, and encountered at the next session by Webster, in the flush and prime of his genius; Chambers, of Maryland, and Foot, and Josiah Stoddart Johnston, of Louisiana, yet the leading subjects of discussion, such as the Panama Mission, were of a nature to

confiture of the whole plan, Mr. Clay called on him, as he said in his frank, manly way (and where was there any thing like it?), to welcome him to the "West." The consequence was, that Mr. Clinton was compelled, in common decorum, to attend the Clay banquet, and Mr. Clay the Clinton one. At both, the contrast between the two as popular orators was clearly marked and at the former, Mr. Clay entered fully and, of course, vehemently, as was his wont, into the political questions of the day, and especially the issues between the friends of General Jackson and himself. To all this Mr. Clinton was compelled to be a silent listener. On our return eastward we again met Mr. Clay, also travelling in the same direction, when the contrast was renewed. The welcome given to Mr. Clinton continued with unabated warmth through Ohio and Pennsylvania, but no political fruit was gathered. He was broken in health and spirits then, and died with the Presidency on his brain (a disease incurable), if we may believe what Mr. Webster says in a letter to Mr. Mason, of 10th April, 1827: "In New York, affairs wear the common complexion of New York politics. Mr. Clinton and some few of his friends have the credulity to think that he has yet some chance of being President two years hence. They flatter themselves that General Jackson's friends will abandon the General and take him up. You will think none can be so weak or so ill-informed as to entertain such a hope, but in truth there are such men, and Mr. Clinton is one of them."—*Private Correspondence*, Vol. I, p. 418. In less than a year Mr. Clinton was in his grave. He died in February, 1828.

be considered in secret session. Widely different was it in the House of Representatives, where the conflict was in the open day and gaze of men, and the combatants, relatively young, and positively active and ardent and perhaps unscrupulous. In the 19th Congress, which began in December, 1825, and covered nearly two years of Mr. Adams' administration, there were in opposition, as leaders, James Buchanan, Samuel D. Ingham (the mouth-piece and devoted friend of Mr. Calhoun), William C. Rives, James K. Polk, John Forsyth, the Rupert of our Debate; McDuffie, Edward Livingston, William Drayton, model of a refined gentleman; Archer, Andrew Stevenson, Mangum, Cambreleng and Louis McLane, soon as was Mr. Webster, translated to the Senate, and John Randolph who, by no volition of his, descended from the Senate to head the fray in the House; and as friends of the Administration, Sprague, Bartlett, John Davis, Edward Everett, Burgess, Taylor, Letcher, Wright, Vinton, and the most brilliant of them all, (such was Mr. Buchanan's earnest testimony,) Henry L. Storrs, of New York. In the next Congress, the opposition was strengthened by John Bell of Tennessee, and the Administration by John Sergeant of Pennsylvania.\*

Thus assailed, and thus defended, began the short and troubled administration of John Quincy Adams.

Before considering the course of these mere party conflicts, for such they were, and the prominent part Mr. Buchanan had in them, I pause on an incident in his Congressional career on which, in the latter part of his life, he used to dwell with much interest, and as an illustration of the mistake which ambitious debaters are apt to make, with no little pleasantry. It has nothing to do with party politics. It was this: In the first session of the 19th Congress, a bill was introduced by Mr. Hemphill, of Pennsylvania, for the relief of the surviving officers of the Revolution. It was a very moderate measure of relief, and

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\* It may be noted that never after in our Parliamentary history has the House of Representatives been the peculiar arena of legitimate debate. On the accession of General Jackson, in 1828, it was transferred to the Senate.

made so purposely, in order to neutralize the active opposition of the Western Radicals, who were determined to defeat any measure which did even scanty justice to those who fought for the country before the States which they represented were born. I cannot refrain, before following him on the stormy seas of partisan, parliamentary strife, to quote his precise and earnest words on this neutral and classic subject. I do so the more readily as it contains a just tribute to the once great Commonwealth which did more, suffered more, paid more, than any two of the revolted colonies, and all New England :

MR. CHAIRMAN:—It is with extreme reluctance I rise at this time to address you. I have made no preparation to speak, except that of carefully reading the documents which have been laid upon our tables ; but a crisis seems to have arrived in this debate, when the friends of the bill, if ever, must come forward in its support. I do not consider that the claim of the officers of the Revolution rests upon gratitude alone. It is not an appeal to your generosity only, but to your justice. You owe them a debt, in the strictest sense of the word : and of a nature so meritorious, that, if you shall refuse to pay it, the nation will be disgraced. Formerly, when their claim was presented to Congress, we had, at least, an apology for rejecting it. The country was not then in a condition to discharge this debt without inconvenience. But now, after forty years have elapsed since its creation, with a Treasury overflowing, and a national debt so diminished, that, with ordinary economy, it must, in a very few years, be discharged, these officers, the relics of that band which achieved your independence, again present themselves before you, and again ask you for justice. They do not ask you to be generous—they do not ask you to be grateful—but they ask you to pay the debt which was the price of your independence. I term it a debt : and it is one founded upon a most solemn contract, with which these officers have complied, both in its letter and in its spirit, whilst you have violated all its obligations.

Let us spend a few moments in tracing the history of this claim. It arose out of the distresses of the Continental Army, during the Revolutionary war : and the utter inability of the

Government, at that time, to relieve them. What, Sir, was the situation of that army, when it lay encamped at the Valley Forge? They were naked, and hungry, and barefoot. Pestilence and Famine stalked abroad throughout the camp. The first blaze of patriotism which had animated the country, and furnished the army with its officers, had begun to die away. These officers perceived that the contest would be long, and bloody, and doubtful. They had felt, by sad experience, that the depreciated pay which they received, so far from enabling them to impart assistance to their wives and children, or hoard up any thing for futurity, was not sufficient to supply their own absolute and immediate wants. Placed in this situation, they were daily sending in their resignations, and abandoning the cause of their country. In this alarming crisis, Washington earnestly recommended to Congress to grant the officers half-pay, to commence after the close of the contest, as the only remedy for these evils, within their power. The country was not then able to remunerate the officers for the immense and unequal sacrifices which they were making in its cause. All that it could then do was to present them a prospect of happier days to come, on which hope might rest. With this view, Congress, in May, 1778, adopted a resolution allowing the officers, who should continue in service until the end of the war, half-pay for seven years. This resolution produced but a partial effect upon the army. The time of its continuance was to be but short; and there were conditions annexed to it, which, in many cases, would have rendered it entirely inoperative.

In August, 1779, Congress again acted upon this subject, and resolved, "That it be recommended to the several States to grant half-pay for life to the officers who should continue in the service to the end of the war." This recommendation was disregarded by every State in the Union, with one exception; and I feel proud that Pennsylvania was that State. She not only granted half pay for life, to the officers of her own line, but she furnished them with clothing and with provisions. Thus, when the General Government became unable to discharge its duty to her officers and soldiers, she voluntarily interposed and relieved their distresses. General Washington, when urging upon Congress the necessity of granting to the officers half-pay

for life, pointed to those of the Pennsylvania line, as an example of the beneficial consequences which had resulted from that measure. \*

Congress at length became convinced of the necessity of granting to the Continental officers half-pay for life. Without pay and without clothing, they had become disheartened and were about abandoning the service. The darkest period of the Revolution had arrived, and there was but one ray of hope left, to penetrate the impending gloom which hung over the army. The officers were willing still to endure privations and sufferings, if they could obtain an assurance that they would be remembered by their country, after it should be blessed with peace and independence. They well knew Congress could not relieve their present wants; all, therefore, they asked, was the promise of a future provision. Congress, at length, in October, 1780, resolved "That half-pay for life be granted to the officers in the army of the United States, who shall continue in service to the end of the war."

Before the adoption of this resolution, so desperate had been our condition, that even Washington apprehended a dissolution of the army, and had begun to despair of the success of our cause. We have his authority for declaring that, immediately after its adoption, our prospects brightened and it produced the most happy effects. The state of the army was instantly changed. The officers became satisfied with their condition, and, under their command, the army marched to victory and independence. They faithfully and patriotically performed every obligation imposed upon them by the solemn contract into which they had entered with their country.

How, did you perform this contract on your part? No sooner had the dangers of war ceased to threaten our existence—no sooner had peace returned to bless our shores, than we forgot those benefactors, to whom, under Providence, we owed our independence. We then began to discover that it was contrary to the genius of our Republican institutions to grant pen-

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\* Joint Resolutions of 13th and 24th March, 1779. See Journals, pages 335, 336, 342. 1. Smith's Laws, 487. Life of Joseph Reed, President of the Supreme Executive Council, Vol. 2, p. 65.



sions for life. The jealousy of the People was roused, and their fears excited. They dreaded the creation of a privileged order. I do not mean to censure them for this feeling of ill-directed jealousy, because jealousy is the natural guardian of liberty.

In this emergence, how did the Continental officers act? In such a manner as no other officers of a victorious army had ever acted before. For the purpose of allaying the apprehensions of their fellow-citizens, and complying with the wishes of Congress, they consented to accept five years' full pay, in commutation for their half-pay for life. This commutation was to be paid in money, or securities were to be given on interest at six per cent. as Congress should find most convenient.

Did the Government ever perform this their second stipulation to the officers? I answer, no. The gentleman from Tennessee was entirely mistaken in the history of the times, when he asserted that the commutation certificates of the officers enabled them to purchase farms, or commence trade, upon leaving the army. Congress had not any funds to pledge for their redemption. They made requisitions upon the States, which shared the same fate with many others, and were entirely disregarded. The faith and the honour of the country, whilst they were intrusted to thirteen independent and jealous State sovereignties, were almost always forfeited. We then had a General Government which had not the power of enforcing its own edicts. The consequence was, that, when the officers received their certificates, they were not worth more than about one-fifth of their nominal value, and they very soon fell to one-eighth of that amount.

Let gentlemen for a moment realize what must then have been the situation and the feelings of these officers. They had spent their best days in the service of their country. They had endured hardships and privations without an example in history. Destitute of every thing but patriotism, they had lived for years upon the mere promise of Congress. At the call of their country, they had relinquished half-pay for life, and accepted a new promise of five years' full pay. When they had confidently expected to receive this recompense, it vanished from their grasp. Instead of money, or securities equal to money, which would have enabled them to embark with advantage in civil employ-

ments, they obtained certificates, which necessity compelled most of them to sell, at the rate of eight for one. The Government proved faithless, but they had, what we have not, the plea of necessity, to justify their conduct.

In 1799, the provision which was made by law for the payment of the public debt, embraced these commutation certificates. They were funded, and the owner of each of them received three certificates; the first, for two-thirds of the original amount, bearing an interest immediately of six per cent.; the second for the remaining third, but without interest for ten years; and the third for the interest which had accumulated, bearing an interest of only three per cent.

What does this bill propose? Not to indemnify the officers of the Revolution for the loss which they sustained in consequence of the inability of the Government, at the close of the war, to comply with its solemn contract. Not, after a lapse of more than forty years, to place them in the situation in which they would have been placed had the Government been able to do them justice. It proposes to allow them even less than the difference between what the owners of the commutation certificates received under the funding system, and what these certificates, when funded, were worth upon their face. My colleague has clearly shown, by a fair calculation, that the allowance will fall considerably short of this difference. If the question now before the committee were to be decided by the People of the United States, instead of their Representatives, could any man, for a moment, doubt what would be their determination?

I hope my friend from Massachusetts will not urge the amendment he has proposed. Judging from past experience, I fear, if it should prevail, the bill will be defeated. Let other classes of persons, who think themselves entitled to the bounty of their country, present their claims to this House, and they will be fairly investigated. This is what the surviving officers of the Revolution have done. Their case has been thoroughly examined by a committee, who have reported in its favour; and all the information necessary to enable us to decide correctly is now in our possession. I trust their claim will be permitted to rest upon its own foundation. They are old, and for the most

part in poverty: it is necessary, if we act at all, that we act speedily, and do them justice without delay. In my opinion, they have a better claim to what this bill contemplates giving them, than any of us have to our eight dollars per day. Gentlemen need apprehend no danger from the precedent: we shall never have another Revolutionary war for independence. We have no reason to apprehend we shall ever again be unable to pay our just debts. Even if that should again be our unfortunate condition, we shall never have another army so patient and so devoted as to sacrifice every selfish consideration for the glory, the happiness, and the independence of their country. I shall vote against the proposed amendment because I will do no act which may have a tendency to defeat this bill."

The traditionary account of the fate of this measure. Mr. Buchanan used to give with an odd mixture of regret and pleasantry. Its success depended, as I have said, not only on the small amount of money involved, but on the moderation of tone in which it was advocated. This is manifest, not only from Mr. Buchanan's speech, but from that of Mr. Hemphill, Mr. Drayton, and other discreet tacticians. The bill was guarded in every respect, and the appropriation proposed was one million of dollars. Its friends were confident of success. "At this juncture," Mr. Buchanan used to say, "to the dismay of every one," Mr. Edward Everett, a young member from Massachusetts, fresh from the Unitarian pulpit, to which his peculiar and elaborate rhetoric was so well suited, claimed the floor. Vain was remonstrance—in vain was he assured that all had been said that need be said—he persisted in his intention. The speech was made, and listened to, no doubt, with admiration of its brilliancy: but when we read that the orator "demanded" of the House to pass the bill, and by adopting the amendment of one of his colleagues, give the survivors of the Revolution "all they ask, and *more* than all they ask," or the remarkable peroration which, as a sample of meretricious eloquence, I cannot resist the temptation to quote, we can well understand how the friends of the bill and the poor officers whom it was designed to relieve, mourned in silence over inappropriate rhetoric:

"The present year completes the half century since the Declaration of Independence: and most devoutly do I hope, that, when the silver trumpet of our political jubilee sounds, it may be with a note of comfort and joy to the withered heart of the war-worn veteran of the Revolution. Our tardy provision will, indeed, come too late to help him through the hard journey of life: it will not come too late to alleviate the sorrows of age, and smooth the pillow of decline. It is the fiftieth year of our Independence. How much shall we read, how much shall we hear, how much, perhaps, we shall say this year, about the glorious exploits of our fathers, and the debt of gratitude we owe them. I do not wish this to be all talk. I want to do something. I want a substantial tribute to be paid them. Praise is sweet music, both to old and young: but I honestly confess that my mind relucts and revolts, by anticipation, at the thought of the compliments with which we are going to fill the ears of these poor veterans, while we leave their pockets empty, and their backs cold. If we cast out this bill, I do hope that some member of this House, possessing an influence to which I cannot aspire, will introduce another, to make it penal to say a word on the fourth of July, about the debt of gratitude which we owe to the heroes of the Revolution. Let the day and the topic pass in decent silence. I hate all gag-laws: but there is one thing I am willing to gag—the vamping tongue of a bankrupt, who has grown rich, and talks sentiment, about the obligation he feels to his needy creditor, whom he paid off at 2s. 6d. in the pound."

The rest of the story is soon told. The appropriation was increased. A member from New York moved to extend the provisions of the bill to every militia-man who had served nine months, which, at the suggestion of an enemy of the measure (Mr. Coker, of Tennessee), was reduced to three months. Then followed, the addition of widows and orphans, then artificers and musicians, then, as if in mockery, "the troops who fought at Bunker Hill," or who were raised in Vermont, then those of Saratoga and Bennington, and then of the Southern battles, Mr. Buchanan in vain remonstrating: and thus loaded, on the second of May, it was recommitted to the committee, to sleep the sleep that knew no awakening.

I now return to the arena of party strife in the House of Representatives, in which Mr. Buchanan was confessedly a leader, though, I am glad to say, throughout his speeches there was ever, however extreme his antagonisms, a characteristic moderation and dignity of tone and language. This was very manifest in his remarks on the first great subject of controversy—the appropriation for the Panama Mission, in the spring of 1826.

The history of this Mission—now passed away, like many other things, into the rubbish of the past—may be briefly told.

In Mr. Adams' Message, of December, 1825, he said:

“Among the measures which have been suggested to the Spanish-American Republics by the new relations of one another resulting from the recent changes of their condition, is that of assembling at the Isthmus of Panama, a Congress at which each of them should be represented, to deliberate upon objects important to the welfare of all. The republics of Columbia, of Mexico, and of Central America, have already deputed plenipotentiaries to such a meeting, and they have invited the United States to be also represented there by their ministers. The invitation has been accepted, and ministers on the part of the United States will be commissioned to attend at those deliberations and to take part in them so far as may be compatible with that neutrality from which it is neither our intention nor the desire of the other American States that we should depart.”

Having thus boldly and in the exercise of an undoubted right, accepted the invitation, the President nominated to the Senate, as Ministers to the Congress, John Sergeant of Pennsylvania, and Richard C. Anderson of Kentucky. The proceedings of the Senate, on the measure and the nominees were at the time secret, and have no immediate relation to the subject of this memoir, the result being, that after anxious and elaborate discussion, in which the whole power of the Senatorial opposition, led by Mr. Benton and Mr. Tazewell, was brought to bear, not on the gentlemen nominated, but on the measure itself, a resolution that it was inexpedient to send ministers to Panama, was rejected by a vote of twenty-four to nineteen, the friends of the Mission apparently not caring to risk an

affirmative vote, but contenting themselves by asking action on the nominations, which were confirmed—Mr. Anderson's by twenty-seven to seventeen, and Mr. Sergeant's by twenty-six to eighteen. Mr. Benton, of Missouri, voting against Mr. Sergeant, on account of his supposed anti-slavery opinions.

In this form the Panama Mission was introduced into the House of Representatives, a resolution being reported by the Committee on Foreign Affairs, that, "in the opinion of the House it is expedient to appropriate the funds necessary to enable the President of the United States to send Ministers to the Congress of Panama," to which a dexterous amendment had been offered by Mr. McLane, of Delaware, as follows :

"It being understood as the opinion of this House, that, as it has always been the settled policy of this Government, in extending our commercial relations with foreign nations, to have with them as little political connection as possible : to preserve peace, commerce, and friendship with all nations, and to form entangling alliances with none ; the Ministers who may be sent shall attend at the said Congress in a diplomatic character merely, and ought not be authorized to discuss, consider or consult, upon any proposition of alliance, offensive or defensive, between this country and any of the South American Governments, or any stipulation, compact or declaration, binding the United States in any way, or to any extent, to resist interference from abroad with the domestic concerns of the aforesaid Governments, or any measure which shall commit the present or future neutral rights or duties of these United States, either as may regard European nations, or between the several States of Mexico and South America."

There had been during the session some parliamentary skirmishing on this subject in which Mr. Buchanan had no share, but the main debate began in the way I have stated. It lasted till the 22d April, 1826, when the Administration measure succeeded, but after sore travail—the vote being 134 to 69, Mr. Buchanan, though, opposed to the Mission, voting with the majority. This apparent inconsistency is made intelligible by his speech on the 11th of April, in which I find and am tempted to quote, for all else as to the exaggerated benefits

and dangers of this obsolete diplomatic experiment has lost its interest, his views on one of the most controverted and delicate points of constitutional interpretation. They are singularly precise and felicitous :

“ I know there are several gentlemen on this floor, who approve of the policy of the amendments proposed, and wish to express an opinion in their favour : and who yet feel reluctant to vote for them, because it is their intention finally to support the appropriation bill. They think, if the amendments should be rejected, consistency would require them to refuse any grant of money to carry this mission into effect. I shall, therefore, ask the attention of the committee, whilst I endeavour to prove that there would not, in any event, be the slightest inconsistency in this course.

“ I assert it to be a position susceptible of the clearest proof, that the House of Representatives is morally bound, unless in extreme cases, to vote the salaries of Ministers who have been constitutionally created by the President and Senate. The expediency of establishing the mission was one question, which has already been decided by the competent authority : when the appropriation bill shall come before us, we will be called upon to decide another and a very different question. Richard C. Anderson and John Sergeant have been regularly nominated by the United States to be Envoys Extraordinary and Ministers Plenipotentiary to the Assembly of American nations at Panama.’ The Senate, after long and solemn deliberation, have advised and consented to their appointment. These Ministers have been created—they have been called into existence under the authority of the Constitution of the United States. That venerated instrument declares, that the President ‘ shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur : and he shall nominate, and, by and with the advice and consent of the Senate, shall appoint Ambassadors, other public Ministers, and Consuls, Judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by Law.’ What, then, will be the question upon the appropriation

bill? In order to enable our Ministers to proceed upon their mission, the President has asked us to grant the necessary appropriation. Shall we incur the responsibility of refusing? Shall we thus defeat the mission which has already been established by the only competent constitutional authorities? This House has, without doubt, the physical power to refuse the appropriation, and it possesses the same power to withhold his salary from the President of the United States. The true question is, what is the nature of our constitutional obligation? Are we not morally bound to pay the salaries given by existing laws to every officer of the Government? By the act of the first May, 1810, the outfit and salary to be allowed by the President to Foreign Ministers are established. Such Ministers have been regularly appointed to attend the Congress at Panama. What right then have we to refuse to appropriate the salaries which they have a right to receive, under the existing laws of the land?

"I admit there may be extreme cases, in which this House would be justified in withholding such an appropriation. 'The safety of the people is the supreme law.' If, therefore, we should believe any mission to be dangerous, either to the existence or to the liberties of this country, necessity would justify us in breaking the letter to preserve the spirit of the Constitution. The same necessity would equally justify us in refusing to grant to the President his salary, in certain extreme cases, which might easily be imagined.

"But how far would your utmost power extend? Can you re-judge the determination of the President and Senate, and destroy the officers which they have created? Might not the President immediately send these Ministers to Panama; and, if he did, would not their acts be valid? It is certain, if they should go, they run the risk of never receiving a salary; but still they might act as Plenipotentiaries. By withholding the salary of the President, you cannot withhold from him the power; neither can you, by refusing to appropriate for this mission, deprive the Ministers of their authority. It is beyond your control to make them cease to be Ministers.

"The constitutional obligation to provide for a Minister, is equally strong as that to carry into effect a treaty. It is true,



the evils which may flow from your refusal may be greater in the one case than the other. If you refuse to appropriate for a treaty, you violate the faith of the country to a foreign nation. You do no more, however, than omit to provide for the execution of an instrument which is declared by the Constitution to be the supreme law of the land. In the case which will be presented to you by the appropriation bill, is the nature of your obligation different? I think not. The power to create the Minister is contained in the same clause of the Constitution with that to make the treaty. They are powers of the same nature. The one is absolutely necessary to carry the other into effect. You cannot negotiate treaties without Ministers. They are the means by which the treaty-making power is brought into action. You are, therefore, under the same moral obligation to appropriate money to discharge the salary of a Minister, that you would be to carry a treaty into effect.

“If you ask me for authority to establish these principles, I can refer you to the opinion of the first President of the United States—the immortal Father of his Country—who, in my humble judgment, possessed more practical wisdom, more political foresight, and more useful constitutional knowledge, than all his successors.

“I have thus, I think, established the position, that gentlemen who vote for the amendments now before the committee, even if they should not prevail, may, without in-

vert. I mean the subject of slavery. I believe it to be a great political and a great moral evil. I thank God, my lot has been cast in a State where it does not exist. But, while I entertain these opinions, I know it is an evil at present without a remedy. It has been a curse entailed upon us by that nation which now makes it a subject of reproach to our institutions. It is, however, one of those moral evils, from which it is impossible for us to escape, without the introduction of evils infinitely greater. There are portions of this Union, in which, if you emancipate your slaves, they will become masters. There can be no middle course. Is there any man in this Union who could, for a moment, indulge the horrible idea of abolishing slavery by the massacre of the high-minded, and the chivalrous race of men in the South. I trust there is not one. For my own part I would, without hesitation, buckle on my knapsack, and march in company with my friend from Massachusetts (Mr. Everett) in defence of their cause."\*

These, let me record it to his honour, even in our day of triumphant fanaticism, were his views to the end of his long and eventful life.

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\* This allusion to Mr. Everett's military ardor, will be understood from the following extract from his speech on the Constitutional Amendment.

"On the 9th of March, 1826. One reads with strange perplexity in the Boston Herald, that Mr. Everett has been a vehement orator on the subject of the Amendment. It is not very long

The debate increased in animation as it continued, sometimes verging to the outside limit of decorum; as, for example, in the following extract from a speech of one of Mr. Buchanan's colleagues, Mr. Ingham of Pennsylvania. It was in reply to Mr. Webster, and I cite it as evidence of the acrid spirit of the day. Mr. Ingham said:

"What did the gentleman from Massachusetts mean, when he, in a tone of significant complaint said, the gentleman from Delaware was the last man in the House from whom he should have expected the avowal of the opinions urged in support of this amendment. Mr. Chairman, has it come to this, in the first year of this new era, that we shall hear the old, repudiated doctrines of '98, which have been buried for a quarter of a century, boldly revived and re-asserted! I should be glad to know what the gentleman from Massachusetts meant by the rebuke, unless he thought he had some claims on the gentleman from Delaware, as a disciple of those repudiated doctrines. I do not know that the gentleman from Delaware ever avowed such opinions; but I do know, there was a time when these gentlemen pursued different roads, and which, in my judgment, involved an anerring test of public virtue: and beyond that period, I do not wish to go to find party distinctions. I can find a sufficient test there, for my political friendships. In the late war—the second war of Independence—when we were contending

waste every village, and even cottage, within the reach of his power; when fiscal embarrassments pressed heavy upon us; when, in fact, the country was bleeding at every pore, the gentleman from Delaware shouldered his musket, and marched to meet and fight the enemies of his country, as did my honourable colleague (Mr. Buchanan), and many others of the same political faith.

• But, Mr. Chairman, I ask, where then was the gentleman from Massachusetts? I can tell you. I was a member of the same Congress with him. Many of my constituents, and those of my colleagues, were suffering every thing which the human constitution could endure, braving the enemy on the Northern frontier, or blanching in cold and comfortless tents on the shores. Their sufferings were aggravated by the want of the common necessities of life. I speak from knowledge and experience, and not at random, when I say, that the gentleman from Massachusetts was then engaged, not only in withholding the supplies, but literally lashing with pinions the arms of the brave defenders of his country, and devising every means which his capacious mind could conceive, to resist a vigorous prosecution of the war; identified with every combination and faction, Hartford convention and all, to unnerve the arm and weaken the power of the Government, when the enemy was at our doors, and his bayonet at our breast. The gentleman stood in the same relation to the domestic enemies of his country then, that he now does to most of the opponents of this amendment. He was their *Magnus Apollo*! To him they looked for aid.

dependence were carefully remembered to be forgotten! Can I, while I feel the responsibility of my station; can I, knowing these things, be expected to act upon faith with the gentleman? No, Sir! I cannot be led away by the sympathies of any man for foreign countries, who had so little for his own in the hour of her greatest perils." To this diatribe Mr. Webster seems to have made no reply.

On the 21st of April, 1826, Mr. McLane's amendment was rejected, and on the next day the Panama Mission was fully sanctioned by Legislative and Executive authority.

And now one word as to the actual result of this diplomatic experiment which, forty years ago, agitated the country to its very centre, and as to which I can write feelingly and with knowledge, it having been my fate, in a very subordinate function, to sit by its cradle and follow its hearse! Its life was a very brief one. It was no sooner blown than blasted.\*

Just before the final vote was taken on the Panama Appropriation bill, in the House of Representatives, Mr. McDuffie, of South Carolina, rose and said:

"MR. SPEAKER: As we have at length reached the last act of this great drama, I cannot consent to take leave of this Mission to Panama, without saying a few words, by way of parting benediction. As this House has solemnly resolved that it is inexpedient that our Representatives should take any part in the deliberations of the Council, on the only subjects upon which we have been invited to participate, I take it for granted that Mr. Sergeant and Mr. Anderson will proceed with all due 'pomp and circumstance,' to Panama; present themselves before the Council of the Amphictyons; make a profound bow in the sacred name of liberty, bundle up their baggage, and return home with all convenient expedition. And, having divested this Mission of its tragical attributes, and left nothing but an empty pageant—a solemn farce to be acted by the Executive—I confess that I have no serious apprehensions that much evil will grow out of it. But still, I cannot vote for this appropri-

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\* The writer of this was an unpaid attaché to Mr. Sergeant and accompanied him to Mexico, in 1826 and 1827.

tion. For, though I never have been a stickler upon questions of proper expenditure, I am unwilling to pay forty or fifty thousand dollars per annum for the pleasure of being ridiculous, and the privilege of being laughed at. But, as the Administration have determined to go forth blindfolded, and with their hands tied behind them, tilting against—I will not say windmills, but the shadow of windmills—I have only to say, and I do it in all sincerity, God grant them a safe and a speedy deliverance."

There is sad truth in this. Scarcely had the Mission been approved, when the news reached this country that Mr. Anderson had died at Carthagena, on his way to the Isthmus, and that the Congress had adjourned to meet at Tacubaya, a village in the neighbourhood of the city of Mexico. Mr. Poinsett was substituted for Mr. Anderson, and Mr. Sergeant sailed for Vera Cruz on the 2d of December, 1826, Congress meeting at Washington, on the 4th; his departure no doubt being hastened by the fear that, under the new state of facts, the Mission might still be arrested.

Arriving in the City of Mexico in January, 1827, we found a few scattered fragments of the Congress floating about without coherence or the possibility of reconstruction. General Bolivar, with whom the scheme is supposed to have originated, had changed his views, and the failure was complete. Mr. Sergeant, after remaining in Mexico, chafing at inactivity for six months, returned to the United States in the summer of 1827; and thus came to an end, sadly for all connected with it, the hob-goblin of the Congress of Panama. One consolation there was, that our residence in Mexico was at the only quiet period of her republican history, the end of the Presidency of Guadalupe Victoria. The next year the course of revolution broke out, and it has been flowing, headily and angrily, ever since. The motives of Mr. Adams and his Cabinet in acceding to this scheme were pure and patriotic, and the instructions given to the Ministers show in how high a spirit and with what far-seeing wisdom the whole question of international duties were regarded, the mistake being a natural one—an assumption that the administrators of the Spanish-American Republics were wor-

thy of the confidence which enlightened nations can afford to repose in each other.

The new year opened darkly for the Administration. The failure of what may be described as the ostentatious diplomacy of the Panama Mission, and the coincident interruption of the trade with the British West Indies, attributed—I do not pause to inquire how justly—to the physical incompetency of our Minister to London, were most untoward events. Besides these, and perhaps because of them, the elections in the autumn of 1827 had resulted disastrously. The tide of General Jackson's popularity flowed with terrible force, and at the opening of the twentieth Congress, Mr. Adams found himself in a minority in both branches of the Federal Legislature.\* In the House of Representatives, Mr. Andrew Stevenson was chosen speaker, and though this was not shown in his choice, the House actually stood 94 friends of the Administration to 111 opposition, a good, and as was proved, thorough-going majority.

Recollecting, as I well do, the times, and reading the reported debates, it seemed as if the whole of this session in the Lower House was devoted to party crimination and defence. This, too, was the result rather of accident than preconcert. It was in this wise: Obviously it was the interest of the Administration party to avoid initiating discussion, and to limit themselves to defence, especially as it was clear to all cool observers that its days were numbered. As little was it an object with the opposition to do any thing that might disturb the current of its assured success. Yet, in spite of all this, irritating and exciting discussion began, and, as a matter of course, once begun, went on to the bitter end, the fault being, as will be seen, on the part of the Administration. Mr. Buchanan has often given me the secret history of this, and it was my lot, as a young man, a visitor for the first time to Washington, to witness the scene and to hear every word of the discussion. The impres-

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\* Mr. Sergeant, just returned from Mexico, though having singular personal popularity, was elected to the House by a majority so meagre as to foreshadow the result of next year, when he was defeated by Mr. Hemphill, an ancient Federalist, but a Jackson man.

sions on my mind are as vivid as if made yesterday and not forty years ago. It was a debate on "Retrenchment," that most captivating of all topics to an excited popular mind. On the 22d of January, 1828, Mr. Chilton, of Kentucky, a Jackson man, fresh from a local pulpit (for more than one unfrocked Divine had found their way into political life), anxious to distinguish himself, offered a series of resolutions. The prominent ones were these:

"1. Resolved, That it is expedient to discharge the National debt without unavoidable delay; to accomplish which desirable object, a resort to a general system of retrenchment is necessary. This, it is conceived, can only be effected by

First. A judicious reduction of the number of officers receiving salaries or pay from the General Government, and of the salaries of such as are necessarily retained in public service; avoiding, in each instance, the adoption of any measure which would be incompatible with our national dignity.

Second. By avoiding each and every appropriation or expenditure of public money which is not imperiously demanded by the justice of the claim or the necessities of the Government, with a view to its efficient operation in a spirit of republican simplicity and economy.

2. Resolved, That the matters and things contained in the foregoing resolution be referred to the Committee of Ways and Means, with instructions to report to this House what offices, in their opinion, may be most advantageously discontinued, what salaries will reasonably bear reduction, and such other means of retrenchment as to them may seem necessary."

They met no favour on either side. Mr. McDuffie, the Chairman of the Committee of Ways and Means, a vehement leader of the opposition, objected to them *in limine*. Mr. Buchanan did the same thing, and though the mover—well described as a straggler—persevered, and a skirmishing debate sprang up—it is evident from the tone of every opposition speaker (and this Mr. Buchanan has often said to me was the case), that the resolutions would have been crushed at the beginning but for the indiscretion of certain Administration men, not leaders, but subordinate, restless aspirants for distinction. Of



such, it seems, were Mr. John Barney, of Maryland (whose eccentricities yet live in tradition), and Andrew Stewart, of Pennsylvania.

"The honourable member from Virginia," said Barney, "has said, that it is best to do one thing at a time, and that this is not the accepted time to do the one thing needful. I most respectfully dissent from that gentleman. Now is the time, now the hour most propitious, in my humble opinion. This nation will soon be called upon to exercise their sovereign authority in the choice of rulers. Although I should find myself in an awkward dilemma, yet once convinced that there is any lurking prodigality, any deeds of darkness which cannot bear the light of noon-day, and I will enter into the scrutiny heart and hand, and aid in bringing it into prominent relief, and when convinced of its existence, will do all in my power to place honest men in the high places which, it is alleged are now improperly filled; and if retrenchment and economy have not been the order of the day, for the four years preceding the 4th of March, 1829, will assist in elevating men who will establish them on a firm basis."

Mr. Stewart was more defiant still:

"I differ entirely from my colleague (Mr. Buchanan), and the gentlemen from Virginia (Messrs. Randolph and Floyd), who think that this is not the proper, 'the accepted time,' to inquire into and correct abuses. Why is not this the proper time? If abuses exist, why not now correct them? If the public money is misapplied, why not at once apply the remedy! The present is always the proper time for this work—'delays are dangerous;' by delaying the remedy we sanction and increase the evil—'now is the accepted time' and every moment of delay is a dereliction of public duty on the part of those holding the corrective power.

"I hope," he added, "the inquiry will go on—its postponement will be a disregard of public duty on the part of those who believe in the existence of the evils and abuses complained of."

In vain did the leaders of the opposition deprecate the discussion, almost with what to their adversaries seemed pusillanimity. The details are curious and interesting, and I may be pardoned for dwelling on them. Now and then a friend of the Administration would counsel forbearance and repose.

"I have witnessed this debate," said Mr. Letcher, a sagacious, genial and brilliant man, and Mr. Clay's bosom friend, "with more pain and regret than any that has ever occurred in this House since I have had the honour of a seat. One more unprofitable, more intolerant, and less likely to effect any good for the country, has never occurred here or elsewhere. As the Representatives of a free and enlightened community, disposed to maintain the dignity and utility of debate, upon correct principles, we should pause, seriously pause, before we determine to prosecute this further. Where, when, and how is it to be ended? What profit will be derived from it? What valuable object attained? Is our time justly, correctly, and fairly employed, in reference to the important interests of the country, to be thus exclusively occupied in this digressive, angry debate, if a debate it can, or ought to be called?"

"I am very sorry, Mr. Speaker, to discover around me, the most formidable preparations for a continuation of the debate. One gentleman is covering his table with books, another is taking notes, whilst about a dozen others are ready to avail themselves of the first opportunity of getting the floor. I did not rise with a view of saying any thing which would be the means of prolonging the discussion, but principally to express my earnest desire that the question may be brought to a conclusion. With the gentleman from Tennessee (Mr. Bell), I desire to get the House rid of the question, by referring the resolutions to a committee. It is very easy to dispose of the matter, should we choose to do it. But one says, with great force and energy, I did not commence this discussion; another says, I did not. One party says, you began it; the other says, no, it was you. Who did begin it? Nobody began it; yet it is here. Instead of disputing who commenced the discussion—for that fact, it seems, never can be ascertained—let us struggle who shall be the first to get clear of it, and at once proceed to the transaction of business. The scene is really ludicrous. It is more like children's play, if I may be allowed to say so, than the port of grave legislation."\*

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\* Congressional Debates, Vol. IV., p. 1289, 1290.

No one of his party came to his aid. The voice of deprecation and conciliation was chiefly on the other side. John Bell, of Tennessee, then in the full flush of his manly eloquence, said :

“I was opposed to the resolution, seeing that it must wear a party livery, because, with my approbation (and I trust gentlemen will give me credit for sincerity, when I make the declaration), no inflammable matter of that kind should be thrown into this House, to retard and obstruct the ordinary business of Congress, or to interrupt the decorum of debate during the present session. I desired, as indeed, I thought every other member of this House did, from the frequent professions I heard upon all sides, that we should despatch the more important business confided to our care, and return to our homes. I deprecated the consequences of bringing the Presidential canvass into this House, and making this floor an electioneering Campus. We have already had a specimen, in the two last days’ debate, of the consequence of introducing such matter into this House. We have already had a match exhibition of reciprocal attack and reply. We have already reached the very verge of order and decorum. Perhaps, we have advanced one step beyond their boundaries. To what end will a further indulgence of this course lead in the discussion of this or any other measure of a like inflammable character? As the passions of the opposite parties kindle by collision—as they will—we may expect to hear from one side of the House, a glowing description of the dangers of military despotism, while, from the other, we will present the picture of a great nation sinking by corruption. When, from the other side, shall be held up to public view, the evils to be apprehended from the elevation of a Military Chieftain; on this side, you shall hear of the ills that shall ensue from establishing a succession, by adhering to the line of safe precedents. When we shall have carried this war of crimination and recrimination to the highest pitch to which party feeling can ascend, all we shall be able to accomplish will be, perhaps, to degrade the character of the Congress of the United States, consume ourselves in the heat of controversy, and vomit forth through the channels of the newspapers, upon the People

of this Union, the poison of our own gall, to embitter and stir them up to a like useless rage.

‘It is not, nor cannot come to, good.’

“No opinion will be changed by such a course, and the People are too enlightened to authorize the belief that the relative strength of the parties out of this House can be affected by it. I would say to the Opposition, to which I profess to belong, that they have nothing now to gain by such a course, though they may not lose. To the friends of the Administration, I would say, if they will allow me, that they cannot, by means like these, give a counter current to public opinion, if that is necessary to their success. I will say to the Opposition, again, that I trust they will have the firmness not to be intimidated to take a course which would be unbecoming the dignity of this House, or unworthy of the cause in which they are engaged; but while they deal out measure for measure, with their political opponents, they will never become the aggressors.”\*

The last appeal was made by Edward Livingston, of Louisiana, the Nestor of the House, and one who, though a decided Democrat and friend of General Jackson, was regarded on all sides as a thoroughly patriotic and relatively independent member. I cannot resist the temptation, though not a chronicler of debates, to give nearly all that he said:

“I have never, had the presumption to prescribe my opinions in this House, as a rule for the conduct of others, and have not offered them by way of counsel or advice, so often as, perhaps, my age and experience would have justified me in doing. But, I cannot, on this occasion, avoid expressing the regret, the mortification, the shame, that I feel, at the course this debate (if it may be called one) has taken. I refer to the conduct of no particular member, to no particular member’s speech; but the whole course of the discussion, the criminations and recriminations which have characterized it, its desultory nature, the total departure from the object with which it was first introduced, the interchange of sarcasm instead of

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\* Congressional Debates, Vol. IV. p. 1250.

argument, and personalities instead of decorous debate, are such as cannot but sadden the mind of every member of this honourable body who has not suffered himself to be hurried away by the current of party feeling which has for some days past raged among us, and, if I judge rightly of the honourable feelings of those who have, will fill even them with regret, when time has been given them for reflection. In the mean time, what is the spectacle we present to the eyes of our constituents, and of the world? One that I should give offence were I to characterise it by the terms which it deserves. The warmth of debate—the recrimination which it sometimes produces, are evils, but unavoidable evils; they grow out of that free discussion which is necessary to the nature of our Government. It is not of these that I complain. It is the cause which has elicited these heats—the forgetfulness of what is due to ourselves, to the august body of which we are members, to the great duties we are delegated to perform, that has induced me to address you, in the hope of arresting this useless, undignified and dangerous debate. We, each of us individually representing the interests of forty thousand of our fellow-citizens, collectively a co-ordinate branch of the Government, superior in power, equal at least, in dignity, to any other, having important duties to perform—forgetful of our high functions, and of the dignity of the House to which we belong, we have condescended to assume the livery of party, to arrange ourselves as the partizans of our equal, who is at the head of another branch of the Government, or of a private individual, who is a candidate for that place—to attach to ourselves, or to our opponents, the most degrading of all badges, that of being designated by their names. And here, sir, in the sanctuary of Legislation, arranging ourselves into two parties, distinguished by a reference to the ensuing election, converting this Hall, destined for the convocation of the Legislative Representation of the People, into a hustings, where the one candidate is to be lauded, and the vilest trash of the vilest newspapers is to be repeated, to calumniate the other. I, for one, sir, will not consent to this. I am not a Jackson man; I am not an Adams man (since I must repeat these undignified terms); I am a Representative of the People! And,

proud of that title, will not vilify it, by putting on any man's livery. As a citizen I have my preference which I have always avowed and will never conceal. But here I was delegated for other and higher duties; and I consider it a question of much less importance, whether one or another individual shall perform the functions of another branch of the Government, than it is whether we shall perform our own with fidelity and dignity.

"Let us," he added, "place some limits to the scope of our remarks. Hitherto they have left no topic untouched, from the tariff to the humblest newspaper slander. Nothing has escaped the unusual press warrant that has brought every subject into the service. I could have wished, with the honourable gentleman from Virginia (Mr. Randolph), whose sagacity foresaw the consequences of this motion, that it could have been laid on the table. Now it is too late; we must pass the resolutions, wait for the report, and judge according to the evidence; we shall then assume our true character, and, if we must be partizans, the term will then imply no dishonour; for we shall be partizans, not of men, but of the truth. I entreat, then, in the name of the People, whose business is neglected, and whose passions, already too warm, will be further excited by this debate, that it may at length be brought to a close, and that the question may be suffered to be taken."\*

And thus the record says: After a fruitless attempt to terminate the debate by a resort to the previous question, the House adjourned.

The appeal was vain. The Administration-men seemed to have lost their heads, and the main and elaborate discussion of its economical policy began; Mr. Edward Everett, of Massachusetts, whose rhetoric was irrepressible, because elaborated beforehand and meant for inevitable display, leading off. "This debate," said Mr. Buchanan on the floor, "would have ended after the solemn appeal which was made to the House by the venerable gentleman from Louisiana, had not the gentleman from Massachusetts prevented it. That gentleman ought to know that he can never throw himself into any debate without giving it fresh vigour and importance."

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\* Congressional Debates, Vol. IV., p. 1298

The regular debate may be said to have begun on the 1st of February, 1828, and continued without intermission for many days the result being *nil*, except general detriment to the tottering Administration. It was my good fortune to hear it from first to last, and I may be excused for dwelling on it somewhat in detail, not only on account of the leading part which Mr. Buchanan took in it, but for its interest in illustration of the style of debate in the better days of Congress, when there were no "hour rules" to mutilate discussion; with rare exceptions, no set, read speeches, and none of the prostitution of "filing" them, as if they had been made. In this drama, leading actors had their parts. According to my recollection, first in vehemence, if not in vigour, which I must not be understood as disparaging, were the intimate friends of Mr. Calhoun, the Vice President; Mr. McDuffie, of South Carolina, and Mr. Ingham, of Pennsylvania. There was no stint to their denunciations, made more impressive by the dramatic manner of the one, and the vehement tone of the other.

"We have seen," said Mr. Ingham, "presses having a large subscription list, which had been employed, in better times, to promulgate the acts of the Government, indirectly publishing a paragraph of eulogy in favor of one of the greatest public benefactors of our country now living, and the returning mail, almost literally, as I say, the returning mail carrying the punishment for so gross an indignity to the system upon which the Administration rests its hope. We might trace this operation even more minutely, and find a Head of a Department, of high responsibility, descending to take a scanty pittance, not from a political adversary, but from a poor widow and her orphan children, to reward one of the most venal wretches for the most venal services that such a man could render. You might follow up still further, and find the same venal wretch convicted of publishing a forgery so gross, that it was denounced, along with some of his other calumnies, by every honourable editor on the same side of the political question. And, afterwards, we may see a special mandate from one of the Departments of the Government, directing the advertisements for its supplies, &c., to be given him as a reward for such service. But enough of this. Every man who loves his

country must feel ashamed and degraded when contemplating such transactions as these, emanating from the grand councils of this nation.”\*

It was in answer to this diatribe, that Mr. Pearce, of Maryland, a gentleman well remembered in later years as of gentle temper and conciliatory manners, was provoked to say:

“We have been referred to the case of the removal of one of the printers of the laws, and I have referred to the cause of his dismissal. I know of no such an attempt. I have heard of State Legislatures proscribing individuals, because they would not worship this idol, and I would refer the gentleman to the case of William Clark, late Treasurer of the State of Pennsylvania. Connected with the charge which the gentleman has made, of attempts on the part of this Administration to influence the State Legislatures, he has referred to the employment of John Binns, of Philadelphia, to print the laws, and to furnish the stationery and printing for the Custom House: and, if he had the power, he would brand him with infamy, for libelling a distinguished individual, whom he charged with the murder of six militia men. John Binns is not now on trial, and if he was, he would not require my aid, to vindicate him from any aspersions that may be cast upon him: he is not here to answer for himself, and if he were, could not; for we are privileged men, and not accountable for what we say. John Binns and the gentleman from Pennsylvania are not, therefore, on an equal footing; if they were, he could vindicate himself. If he libelled General Jackson, are there not persons the gentleman has libelled? For he too has published his pamphlet for the benefit of the People. John Binns is a respectable magistrate in the second city in the Union, and has the confidence of the People, to as great an extent as the gentleman from Pennsylvania. John Binns once belonged to the same party in Pennsylvania that gentleman belonged to, and it was successful; John Binns once belonged to a party in that State which opposed that gentleman and his party, and put them down. John Binns will show the gentleman, in less than one year from now, that what he

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\* Congressional Debates, Vol. IV., p. 1218.



his done, he will do again, and the gentleman will find himself again in the minority."

Here the Speaker called Mr. Pearce to order.\*

There was, however, in this angry storm, periods of comparative lull, when dignified discussion occurred. Of this character were, and in this order, the speeches of Mr. Everett, Mr. Randolph, Mr. Hamilton, Mr. Sergeant, Mr. Buchanan, and Mr. Rives of Virginia. I heard them all and remember them well.

That of John Randolph is memorable in this, that he revised it for publication, a thing of rare occurrence with him, dedicating it to his faithful constituents, "such as no man ever had," and still more memorable for being the last that he ever made in Congress. There was a vein of dignified melancholy running through it which is very touching, and which as it were soothing his savage temper (for savage it certainly was), is in graceful contrast with the malignant ribaldry of his Senatorial harangues. I read to-day the written words, and I hear him as but yesterday, in the dead silence of the awe-struck House, his shrill, feeble voice well modulated when he pleased, and his cough impressively cultivated.

"Mr. Speaker, as I was returning the other evening from the Capitol, I saw what has been a rare sight this winter—the sun dipping his broad disk behind those Virginia hills, not allaying his glowing axle in the broad Atlantic stream. I asked myself, if, with this Book of Nature unrolled before me, I was not the most foolish of men to be struggling and scuffling here in this heated and impure atmosphere, where the play is not worth the candle; but then the truth rushed upon my mind, that I was vainly, perhaps, but honestly striving to uphold the liberties of the People who sent me here."

And then dropping his plaintive tone, he screamed (I can find no other word, and the very scream was impressive):

"Can these liberties co-exist with corruption? At the very worst, the question recurs, which will the more effectually destroy them, collusion, bargain and corruption here, or a military despotism? When can that be established over us? Never,

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\* Id. p. 1244.

till the Congress has become odious and contemptible in the eyes of the People. I have learned from the highest of all authority, that the first step towards putting on incorruption is the putting off corruption. That recollection nerves me in the present contest: for I know that, if we succeed, I shall hold over the head of those who succeed the present incumbent, a rod, which they will not dare, even if they had the inclination, to disobey. They will tremble at the punishment of their predecessors. If we succeed, we shall restore the Constitution—we shall redress the injury done to the people—we shall regenerate the Country.”\*

This is and was eloquence, and those who heard it, of whom there are few living, and those who read it now, feel it to be so.

There is something in the egotism of this eccentric, half-crazed man which is very touching and impressive, as, for example, in the conclusion of this remarkable oration:

“If, after such an appeal as has been made to the People, and a majority has been brought into this and the other House of Congress, this Administration shall be able to triumph, it will prove that there is a rottenness in our institutions, which ought to render them unworthy of any man’s regard. My ‘churchyard cough’ gives me the solemn warning, that, whatever part I may take in the chase, I may fail of being in at the death. I should think myself the basest and the meanest of men—I care not what the opinion of the world might be—I should know myself to be a scoundrel, and should not care who else knew it, if I could permit any motive, connected with the division of the spoil, to mingle, in this matter with my poor, but best exertions for the welfare of my country. If gentlemen suppose I am giving pledges, they are mistaken—I give none—they are entitled to none—and I give none. I shall retire upon my own resources—I will go back to the bosom of my constituents—to such constituents as man never had before, and

\* Congressional Debates, Vol. IV., p. 1244. Of all who took part in this debate, Mr. Bell is, I believe, the sole survivor. Mr. Rives died full of years and honours, in 1868. His last public function was as a member of the Confederate Congress.

*a. Stuart of Pennsylvania is living in 1869*

## APPENDIX A.

In order not to break the continuity of my narrative hereafter, I put in this form the account of the very discreditable (as it seems to me) revival of ancient calumny in 1856, when Mr. Buchanan was a candidate for the Presidency. It is in the form of a narrative written by Mr. Buchanan, if my memory does not mislead me, in the last year, or the year before the last of his life. I give it exactly as he left it:

“In the face of all the distinguished manifestations of Gen. Jackson’s friendship and esteem, continued through a long period of years; among the rest, his unsought appointment of me as Minister to Russia; his confidential relations with me as a member of the House and Senate; his declared preference for me as a candidate for the Presidency; and his warm recommendation of me to Mr. Polk for the first place in the Cabinet, great was my astonishment when I read the following garbled extract of a private letter from him to Major Lewis. This appeared in the Nashville Republican Banner, of June 26th, 1856, manifestly for the purpose of injuring me in the estimation of my fellow-citizens when a candidate for their suffrages. This was done regardless of the injury it might inflict on General Jackson’s character for consistency and sincerity, after he had been many years with his fathers. The following is a copy of the extract, as published by Major Lewis.

‘HERMITAGE, February 28th, 1845.

‘Your observations with regard to Mr. Buchanan are correct. He showed a want of moral firmness in the affair of the intrigue of Adams and Clay—did not do me justice in the expose then made, and I am sure, about that time did believe there was a perfect understanding between Adams and Clay about the Presidency and the Secretary of State. This I am sure of. But whether he believed that there was any corruption in the case or not, I know not, but one thing I do know, that he *wished me to combat them with their own weapons; that was, to let my friends say if I was elected, I would make Mr. Clay Secretary of State.* This to me appeared gross corruption, and I repelled it with that honest indignation which I thought it deserved.’

Thus was the old charge revived by General Jackson, after an evening period of nearly twenty years, during which he lay upon the man who he now alleges had sought to involve a party to an act of ‘gross corruption,’ numerous dis-

tinguished tokens of his official and personal esteem and friendship!

By what artful and treacherous means Gen. Jackson was provoked to express sentiments inconsistent with his own deliberate conduct for many years, will now be made apparent.

William B. Lewis, of Tennessee, wrote a letter to General Jackson, which, in old age, and suffering under a mortal disease, elicited his answer of the 28th February, 1845.

WASHINGTON, *Feb.* 17, 1845.

MY DEAR GENERAL:

Your two confidential and very interesting letters of the 4th and 5th instant have been received and disposed of as requested. I am happy to say that I am entirely satisfied, and so is Mr. Blair, with the gentlemen who it is supposed will constitute the Cabinet. Mr. Blair and myself both think it doubtful, however, whether Mr. Buchanan will accept upon the terms proposed (he should not be appointed unless he does), as he is full of the idea, as stated to you in my previous letters, of being a candidate for the succession. If he should not accept, I suppose the State Department will then be offered to Mr. Stevenson. With or without Mr. Buchanan, however, I think the Cabinet will be an able one, and fully entitled to, and doubtless will receive, the confidence of the nation.

The truth is, General, I have never had any very great respect for Mr. Buchanan, and of late I have even had less than formerly. He did not come out upon the subject of that "bargain, intrigue and corruption" charge upon Messrs. Clay and Adams, in 1825, as he ought to have done, and as was expected of him. Besides, I have heard him say, not more than a month ago, that he did not and never had believed there was any truth in the charge. This occurred at Mr. S.'s dinner table, and the remarks were addressed to Judge Mangum, the President of the Senate. But having taken place at the time and place when it did, I have said nothing about it to any one.

Mr. Lewis, the author of this letter, was, at its date, the Second Auditor of the Treasury, and had occupied this position under Mr. Van Buren and Mr. Tyler, to the latter of whom he had paid great court. At the same time he was decidedly inimical to Mr. Polk as well as myself. Mr. Polk, from a thorough knowledge of the man and his antecedents, removed him from office soon after the inauguration, and this rendered him still more hostile and vindictive towards both.

The extract from General Jackson's letter, as published, was garbled. It suppresses the fact that the letter was not

'Private,' doubtless to conceal the treachery involved in its publication after the author had been for many years in his grave. The temptation, however, to do me an injury, whilst before the people as a candidate for the Presidency, could not be resisted. The impulse was so strong that he wholly forgot or disregarded the injurious effect it might have on the character for consistency of his departed friend.

Major Lewis, also, suppressed in the publication of the extract, its important concluding sentence, viz: 'Mr. Buchanan is a man of fine talents, and if he comes into the Department of State will execute the duties with ability.' The reason for this suppression is manifest: if inserted, it would have proven that General Jackson, notwithstanding the injurious imputation of the first part of it, still thought me worthy of the first place in Mr. Polk's Cabinet.

The underscoring in the extract, as published, to emphasize the passage he deemed most injurious to my character, was the work of Lewis himself, as it does not appear in the original letter as—at the instance of the opponents of my election—subsequently lithographed: a copy of this is now before me.

Mr. Lewis published the garbled extract from Gen. Jackson's private letter, concealing his own name and all reference to himself as the person to whom it was addressed, doubtless ashamed to assume the responsibility of its publication.

This letter, as appears on its face, betrays the confidence of a private dinner party at which the writer was a guest, held sacred by all honourable men. He secretly writes and transmits to the Hermitage a conversation which he alleges had occurred in the midst of the freedom and good fellowship of such an occasion, for the purpose of stabbing me in the dark.

I have no recollection whatever of the alleged conversation, nor of the dinner party where it should have occurred. He does not state any inducement to it, and is silent as to what preceded or followed it. He confines himself to the broad and naked allegation without any of the attendant circumstances. It does not appear that he said a word on this occasion in defence of his absent friend. If I did express the opinion attributed to me, it was probably accompanied with the qualification that after the election of Mr. Adams, and the appointment of Mr. Clay, it was quite natural the General should infer the existence of the bargain between them. Of one thing I am quite certain—I never spoke a disrespectful word of the General in all my life.

The letter of Mr. Lewis arrived at the Hermitage during the General's mortal illness. It found him as he himself states, 'greatly affected with bodily pain, and an increasing shortness

of breath.' In this weak physical condition it was skillfully calculated to wound and agitate his always easily excited feelings, and to call forth the answer from a man of his ardent temperament which its author had carefully sought. I shall never while life remains, believe for a single moment that the injurious imputations upon myself contained in his answer, proceeded from the General's deliberate judgment, or from any other cause than momentary irritation.

My nomination, as President, in June, 1856, presented the occasion when the publication of the garbled extract from the General's letter would, in the opinion of Mr. Lewis, especially injure my prospects of election. The letter, so far as my knowledge then extended, had remained in his possession for more than ten years after its author had filled an honoured grave, and when the charge of 'Bargain and Sale,' made nearly thirty years before, had long since been forgotten."

The publication of the extract naturally aroused the indignation of Andrew Jackson, the adopted son, heir and executor of General Jackson. This, because it brought the venerated name of his father into discussion, in the midst of a highly excited Presidential election, for the purpose of injuring Mr. Buchanan, "even," as Mr. Jackson justly observes, "if it might injure the consistency and harmony of General Jackson's whole course of conduct through life." But what cared Major Lewis for this. Indeed, shortly after the General's death, he began to publish extracts from the private and confidential letters of General Jackson to himself, calculated to satisfy his vengeance against Mr. Polk's Administration, and this one among the number. This fact was never brought to my knowledge before June, 1856. Andrew Jackson, as far back as 1846, protested with Lewis against this abuse of his father's private and confidential correspondence. He also appealed to Francis P. Blair to interfere to prevent this.

The following is Mr. Blair's answer :

"SILVER SPRINGS," Feb. 25th. 1846.

"MY DEAR SIR :

"I have this moment received your letter of the 12th instunt, and had read, after writing you yesterday, Major W. B. Lewis' publication, in which my name is used. I think his course is unwise and unjust, both as regards himself and the General. He must be satisfied, that as a friend of the Administration, and anxious for its success up to his last moments, your father, if living, would not approve of the use made of the letter

in question. I shall so write to the Major, and beg him to desist from such publications. I have had no communications with Major Lewis since he left, and my first shall be a remonstrance on such use of his friend's letters.

“ F. P. BLAIR.”

Whilst I copy with pleasure this remonstrance of Mr. Blair against the conduct of Lewis, I have only to regret that ten years later he should himself have taken advantage of this conduct, and employed the publication he had condemned, to assault me. But of this hereafter.

After the appearance of the extract, in June, 1856, from General Jackson's private letter, Mr. Andrew Jackson, addressed a letter to the editors of the Nashville Union and American, protesting against the unauthorized publication of this and other extracts from his father's private letters, by Major Lewis.

It is as follows :

JUNE 27<sup>th</sup>. 1856.

“ A LETTER FROM THE HERMITAGE.”

“ The following letter from Mr. Andrew Jackson will be read with great interest throughout the country. It was prompted by no feelings of a political character, but from the highest sense of honour and justice towards the memory of his venerated father. The scandalous use and abuse that have been recently made of the private and confidential letters of General Jackson, thrown out in a disconnected manner, and frequently by extracts, creating an impression foreign from his intention, for purely partisan purposes, has shocked the sensibilities of all right thinking people.

Mr. Jackson has pursued a quiet and unostentatious life, taking no active part in the politics of the country, farther than to discharge the duties of a good citizen. He has come reluctantly before the public from a stern sense of duty to the memory of his illustrious father. The public will not fail to sympathize with him in the circumstances that have required him to do so. The only son, the heir, the executor of General Jackson, the tenant of the Hermitage, standing, as it were, a sentinel at his tomb, the duty was imperative, and he would have been unworthy of the trust, had he remained longer silent.”

"HERMITAGE," *June 26th, 1856.*

"GENTLEMEN :

"Be kind enough to give the following letter insertion in your paper.

"Within the last few weeks, several individuals, claiming to have been personal friends of General Jackson, have published letters addressed to themselves, under the seal of confidence and friendship, which were never intended for publication, and are calculated to wound the feelings of many persons who stood high in the estimation of General Jackson to the close of his life. The object of these publications is so manifestly for the advancement of petty personal ambition, and to injure and destroy those who stand in the way of their mousing schemes, that no good motive can possibly be attributed to those who are gratifying a morbid public appetite. It seems that they are willing, for the gratification of their own passions, to raise the curtain of the past, open fires over which the ashes have long since gathered, and destroy, as far as their puny efforts can accomplish it, the universal veneration with which the name of General Jackson is regarded.

"The undersigned, as the adopted son, executor, and trusted friend of General Jackson, protests (most solemnly) against this most unscrupulous use of the private and confidential correspondence of his father, and he appeals most confidently to the public to sustain him in this protest: he, himself, was the repository of most of his father's private papers, and has never consented to the publication of any of them, because he believes that no such publication can be made, with justice to the memory of the deceased, until the men who served with him have passed from the stage of action. It would, however, be unfair to the feelings of those who may have been touched by the extracts or full letters from General Jackson, heretofore published, to withhold the testimony of the undersigned, that up to the close of his life he entertained for President Polk and Mr. Buchanan, the highest esteem and affection. In many conversations during his declining years, when in the full freedom of fireside ease, he spoke freely of their eminent services and moral worth—on no occasion did he ever intimate to his family that his confidence in them had abated, or his kindly feelings towards them undergone any change. It is well known to all who were well acquainted with General Jackson, that he clung with intense pertinacity to the interests of those whom he regarded as friends, as somewhat dependents, and whom he had raised up by his patronage. These persons frequently (as can, and might easily be shown,) appealed earnestly to him for assistance in ad-



vancing their own schemes and views, even to the close of his life. Whilst suffering under a painful, withering disease, and earnestly pressed by every artful suggestion, he would have been more than human, if he had not permitted expressions of momentary irritation to creep into private letters, and the fault of their expression was not in him who wrote them, but rather in those whom he trusted.

"The letter of General Jackson in regard to Mr. Buchanan, written in February, 1845, (dated 28th,) extracts from which have been recently published, is precisely one of the character, and written under the circumstances above alluded to, and did not contain any deliberate conviction of his mind, as is amply shown by his cordial treatment of Mr. Buchanan during his whole administration, and his appointment to Russia, his subsequent recommendation of him to others, and the fireside conversations with his family, to which I have before alluded.

"It is not the intention of the undersigned in this publication to interfere in the political conflicts of the day, or to do any thing further than to protect the reputation and fame of his father, and preserve the consistency and harmony of a character dear to the whole American people."

ANDREW JACKSON.

Immediately after the publication of this letter, a press in Nashville, called "The Patriot," doubtless inspired by Major Lewis, made a vindictive personal attack on Andrew Jackson, to which he replied on July 4th, 1856, in the "Union and American." In this, after again censuring Major Lewis for publishing the garbled extract from his father's private letter of the 28th of February, 1845, without publishing his own letter which provoked it, he repeats "that the above paragraph was called forth by irritation produced upon the General by a letter written to him by a most inveterate enemy (Major Lewis) of both Mr. Clay and Mr. Buchanan, which letters the 'Banner' should also have given to the public, and as it has failed I will make good the omission."

He then publishes the letter of Lewis, with this comment:

"The writer of the above extract, now an enemy of Democracy, well knew at the time that General Jackson and Mr. Buchanan were friends, as will be seen from the above. And now, again I ask, why publish the extract from General Jackson's letter without giving also the letter that called it out? Every one must see that it was done to injure Mr. Buchanan, even if it might injure the consistency and harmony of General Jackson's whole course of conduct through life. What cared

they, so their ends were answered? The public has seen, long since, that the "bargain, corruption and intrigue" matter between General Jackson and Mr. Buchanan had been amicably settled—as shown by General Jackson's appointment of him as Minister to Russia, his subsequent recommendation of him to others, and his approval of him as a member of President Polk's Cabinet.

"In conclusion, permit me to say to a generous public, that justice to the memory and fame of my venerated father only induced me to appear before them, when I saw what uses were intended to be made of his private letters, written to confidential friends during his lifetime, purely for political purposes and to answer their ends even at the expense of Gen. Jackson's fame and reputation."

ANDREW JACKSON.

I must now notice—and I do it with reluctance—the use Mr. Francis P. Blair made of this extract from General Jackson's letter, to injure me when a candidate for the Presidency, the first publication of which he had so strongly and justly condemned. From the period when Mr. Blair, on the invitation of General Jackson, established the 'Globe,' in Washington City, until after Mr. Polk's election as President, our personal and political relations were of the most friendly character. My social intercourse with his family, which I still recollect with pleasure, was of the most agreeable nature. Mr. Blair, as editor of the 'Globe,' had always done me justice, and I had never failed cordially to serve him whenever in my power. In a letter to General Jackson (January 13th, 1845), Mr. Blair, when referring to his great danger of defeat at the previous election for Public Printer, says: "I should still be surprised at my escape, if I did not know what support I had in your friendship, that of Van Buren, Wright, Buchanan, Allen, Benton, and my Virginia friends. This tower of honest strength was too strong a Gibraltar for corruptions and machinations." He might have added, that from peculiar circumstances, I had it then in my power to elect, instead of him, any Pennsylvania Democrat whom I might name; but I hesitated not a moment in preferring him to any other candidate, and this, both on account of personal friendship, as well as of the eminent services he had rendered to the party, as the editor of the 'Globe.'

Soon after the accession of Mr. Polk to the Presidency, in the spring of 1845, he deemed it expedient to change the editor of the official organ, and to substitute Thomas Ritchie, the old and time-honoured editor of the 'Richmond Enquirer,' for Mr. Blair. This was accordingly done and the name of the paper

was changed to that of the 'Union.' Mr. Blair could neither forget nor forgive this change. It constantly haunted him. It became his absorbing idea. Within a brief period it drove him from the Democratic party, and after having been the bold, able and efficient expounder and advocates of the principles of Democracy, it transformed him into an abolitionist. Indeed, so far had he forgotten the principles he had so long and so ably advocated, that he became the most powerful auxiliary in the nomination of Colonel Fremont, and exerted all his energies to have him elected. It is well that General Jackson, who had so often and so solemnly warned the country with prophetic vision, of the evils which would result from the triumph of this fanatical party, did not live to witness the sad defection of his friend. With the reasons which compelled Mr. Polk to remove Mr. Blair, I had no personal knowledge at the time. I now solemnly declare that I was not consulted on the question, and had no agency, direct or indirect in his removal. The principal cause, doubtless, was the course of the 'Globe' in opposition to the annexation of Texas. This was then a favourite measure of the Democracy of the country. Indeed, the platform on which Mr. Polk had been nominated embraced a resolution recommending to the cordial support of the Democracy of the Union the re-annexation of Texas, at the earliest practicable period, as a great American measure. General Jackson himself was devoted to this measure, and Mr. Van Buren's anti-Texas letter had cost him the General's support for the nomination in 1844. Is it wonderful then to suppose that under these circumstances Mr. Polk should have determined that an open and avowed opponent of annexation was not a proper editor of the Democratic Official Organ. That this rested upon his mind when determining the question, appears from one of the numerous private letters from Gen. Jackson published by Mr. Blair, in which the General says he had explained to Mr. Polk 'how you had been drawn astray from your own matured views on the Texas question.' I was sorry at the time that he had been "drawn astray," because I firmly believe but for this Mr. Blair would still have continued to edit the 'Globe.' Had he remained in that position, the division of the Democratic party would have been inevitable. Besides, it cannot be denied that the severity of Mr. Blair's strictures, even on those of his own party who differed from him, had given great offence to many Democrats. I was not of this number, because, according to my best recollection, we had never differed on a question of importance except on the annexation of Texas. It is certain that the 'Globe' was a great power. That Mr. Blair did not believe at the time I had any agency in his removal, I feel quite confident, from

our friendly relations for some time afterwards. This must have been an after thought. I wish now solemnly to declare, that I had no part, directly or indirectly, in his removal. I was never consulted by Mr. Polk upon the subject, and knew nothing of it until the arrangement had been completed. As the true friend of Mr. Blair and his party, I personally regretted the change. Of this I should have expressly informed him, had this not been inconsistent with my sense of honour, as a member of Mr. Polk's Cabinet. I continued to act towards him, however, as I had ever done.

Believing that Mr. Blair, from his long and able services in the cause of Democracy, was entitled to some special mark of honourable distinction on his retirement, I urged this upon Mr. Polk, who entertained the same opinion. In consequence I was commissioned by him to offer Mr. Blair the highly important and honourable appointment of Minister to Spain. This duty I performed with very great pleasure, having visited 'Silver Springs' for the purpose. His final answer, declining the mission was addressed to me on the 2d of June, 1845, and is highly creditable to himself. Notwithstanding these assurances of friendship on the part of Mr. Blair, which, I doubt not, were sincere at the time, our intercourse became less and less cordial and frequent until the close of Mr. Polk's Administration, in 1849. This I deeply regretted. Anxious to restore my former personal relations with himself and his family, I took the initiative and made the attempt. For this purpose I addressed a letter to him in November, 1849, and received his answer, to which I replied on the 27th. From this correspondence I was gratified to believe that our personal intercourse might be revived as in former years. This correspondence is now before me, but being in its nature private and confidential, I shall not further advert to it.

But my hopes proved delusive. Mr. Blair is a man of bitter resentments. Believing himself to have been deeply injured by Mr. Polk, he seemed unable to forgive any of those, however innocent of wrong to him, who had any thing to do with Mr. Polk.

Although aware of Mr. Blair's estrangement from me, I was greatly surprised when, a few days after my arrival in New York from the English mission, I read a letter from him to the New York Times, published on the 2d of May. It seems to have been purely voluntary. It is headed:

• The Democracy sold out to the Calhoun Nullifiers -How

the Nullifiers originated—What they threatened and what they did—A Hit at Buchanan.’

This is the newspaper heading to Mr. Blair’s letter.

My whole Congressional record, which certainly was not obscure, proves that I was ever an active opponent of the first great heresy—Nullification, and afterwards, of State Secession.

My nomination as candidate for the Presidency found no favour among those who held to these theories. Throughout sixteen ballots of the Cincinnati Convention, I did not receive a single vote from the States of North Carolina, South Carolina, Alabama, Mississippi, Arkansas, Missouri, Florida or Texas; nor from the State of Georgia until the seventh ballot, when it gave me three of its ten votes, nor from the State of Tennessee until the fifteenth ballot. My nomination was made by the States north of Mason and Dixon’s Line, with the exception of Virginia, which, I am proud to say, sustained me with her entire vote throughout all the ballotings. It was not until after the sixteenth ballot, when I received 168 out of the 296 votes, and when it was apparent I would be nominated by the two-thirds majority required, that the extreme slave-holding States yielded their preference for President Pierce and Senator Douglass, and on the seventeenth ballot I was unanimously nominated.

The chief reason for this reluctance to support me was my undisguised opposition to that disastrous measure—the repeal of the Missouri Compromise.











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